

INTER-OFFICE MEMO

TO: Thomas P. Hanafan, Mayor
and City Council Members

FROM: Donald D. Gross, Director
Community Development Department

DATE: September 16, 2008

SUBJECT: Case #SAV-08-004 - Ruiz

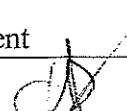
On July 15, 2008 the Council continued the public hearing on the request of Frank N. and Judith E. Ruiz, 2404 South 18th Street, Council Bluffs, IA 51501 to vacate 24th Avenue right-of-way between South 18th and South 19th Streets and abutting Lot 6, Wyatt 2nd Subdivision and abutting Blocks 21 and 36, Railroad Addition to September 22, 2008 in order to allow time for the abutting property to be replatted.

As of this date, no re-plat nor application for re-plat has been received. Previously, the Community Development Department and the City Planning Commission had recommended denial of this request.

DDG/GMM/RLS

CA

Council Communication

<p>Department: Community Development</p> <p>Case #SAV-08-004</p> <p>Applicant: Frank N. and Judith E. Ruiz</p>	<p>Resolution of Intent No. _____</p> <p>Resolution to Dispose No. <u>08-203</u></p>	<p>City Council: 6/23/08</p> <p>Planning Commission: 06/10/08</p> <p>Set Public Hearing: 06/23/2008</p> <p>Public Hearing:</p>
Subject/Title		
<p>Request of Frank N. and Judith E. Ruiz, 2404 South 18th Street, Council Bluffs, IA 51501 to vacate 24th Avenue right-of-way between South 18th and South 19th Streets and abutting Lot 6, Wyatt 2nd Subdivision and abutting Blocks 21 and 36, Railroad Addition.</p>		
Background		
<p>Frank and Judith Ruiz are requesting vacation of 24th Avenue right-of-way between South 18th and South 19th Street so they can purchase the portion which abuts their property at 2404 South 18th Street. This right-of-way, which is unimproved, measures 66 feet wide by 330 feet long for a total of 21,780 square feet.</p> <p>MidAmerican Energy Company has overhead electric distribution facilities located within this right-of-way. They would need to preserve easement rights for the existing facilities as well as extension of facilities to serve any new development along 24th Avenue.</p> <p>Property owners Ruiz (applicant), Moreno and Zarate have returned their petitions stating they would be willing to purchase their respective portions of right-of-way. No response has been received from Wilcoxon.</p>		
Comments		
<ol style="list-style-type: none">1. Vacation of this portion of 24th Avenue would land lock property on the south side. Before this right-of-way can be vacated, the property would need to be replatted.2. 24th Avenue directly to the east between South 17th and South 18th Streets has already been vacated. Because of the continuing development in the immediate area, this right-of-way could be needed in the near future.		
Recommendation		
<p>The Community Development Department recommends denial of the request to vacate 24th Avenue right-of-way between South 18th and South 19th Streets and abutting Lot 6, Wyatt 2nd Subdivision and abutting Blocks 21 and 36, Railroad Addition for reasons stated above.</p>		
Public Hearing		
<p>Frank Ruiz, 2404 South 18th Street, Margo Moreno, 2403 South 19th Street and Victoria Zarate, 2323 South 19th Street appeared before the Planning Commission in favor of the request. No one appeared in opposition.</p>		
Planning Commission to City Council		
<p>The Planning Commission concurs with the Community Development Department to recommend denial of the request to vacate 24th Avenue right-of-way between South 18th Street and South 19th Street for the reasons noted in the staff report.</p> <p>VOTE: Aye 7 Nay 1 Abstain 0 Absent 3 Motion Carried.</p>		
<p>Attachments: Map showing requested right-of-way vacation</p> <p>Prepared By: Rebecca Sall, Planning Technician, Community Development Department</p> <div style="text-align: right; margin-top: 10px;"></div>		

RESOLUTION NO. 08-203

A RESOLUTION TO VACATE AND TO DISPOSE OF 24th AVENUE RIGHT-OF-WAY BETWEEN SOUTH 18TH AND SOUTH 19TH STREETS AND ABUTTING LOT 6, WYATT 2ND SUBDIVISION AND ABUTTING BLOCKS 21 AND 36, RAILROAD ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that city-owned right-of-way described as follows: 24th Avenue right-of-way between South 18th and South 19th Streets and abutting Lot 6, Wyatt 2nd Subdivision and abutting Blocks 21 and 36, Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa, is of no benefit to the public and should be vacated; and

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying and quitclaiming all of its right, title, and interest in it to the abutting property owners; and

WHEREAS, this conveyance is subject to the reservation of a permanent and perpetual utilities easement of way in favor of the City of Council Bluffs, for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacment and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper, and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacment, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the City, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That the above-described city right-of-way is hereby vacated and conveyed, as follows:

Jose and Victoria Zarate and all successors in interest: The North 1/2 of vacated 24th Avenue right-of-way abutting Lots 10, 11 and 12, all of the vacated west north/south alley and the West 1/2 of the vacated east north/south alley, Block 21, Railroad Addition for the sum of \$1,039.80.

Melissa L. Wilcoxon and all successors in interest: The North 1/2 of vacated 24th Avenue right-of-way abutting Lot 6, Wyatt 2nd Subdivision for the sum of \$653.70.

Resolution # _____

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Margarito and Celedonia Moreno and all successors in interest: The South 1/2 of vacated 24th Avenue right-of-way abutting Lot 1 and the West 1/2 of the vacated alley adjacent, Block 36, Railroad Addition for the sum of \$653.70.

Margarito and Celedonia Moreno and all successors in interest: The South 1/2 of vacated 24th Avenue right-of-way abutting Lots 23 and 24, the East 1/2 of the vacated west north/south alley and the west 1/2 of the vacated east north/south alley, Block 36, Railroad Addition for the sum of \$416.10.

Frank N. Ruiz and all successors in interest: The South 1/2 of vacated 24th Avenue abutting Lot 22 and the East 1/2 of the vacated alley adjacent, Block 36, Railroad Addition for the sum of \$653.70.

BE IT FURTHER RESOLVED

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute a City deed conveying the City's interest in the above-described street right-of-way in consideration of the sum set out above, and;

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code 354.23.

ADOPTED

AND

APPROVED: September 22, 2008

Thomas P. Hanafan, Mayor

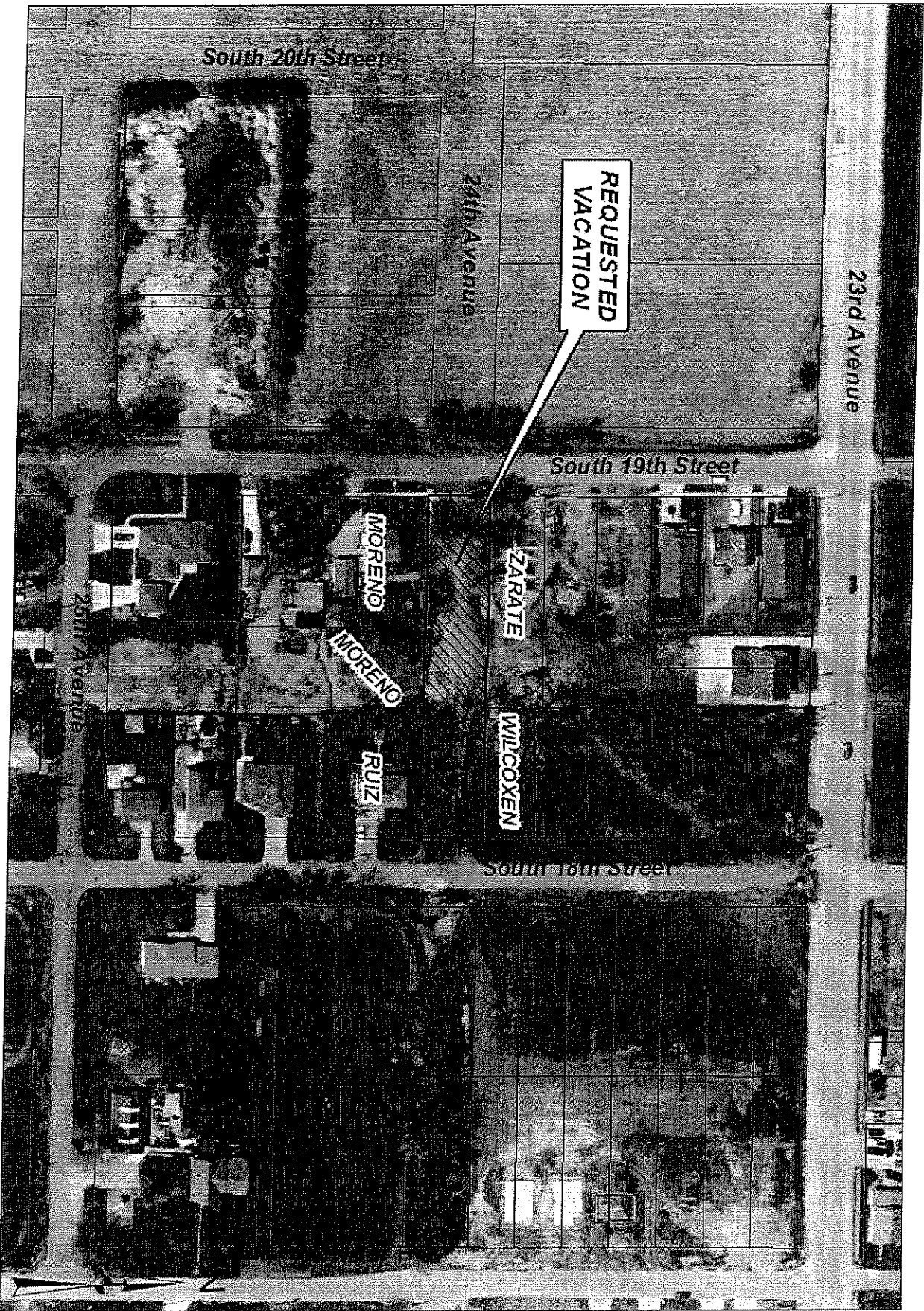
ATTEST:

Judith H. Ridgeley, City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Thomas P. Hanafan and Judith H. Ridgeley, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Thomas P. Hanafan and said Judith H. Ridgeley, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State



CASE #SAV-08-004

PROOF OF PUBLICATION

STATE OF IOWA
POTTAWATTAMIE COUNTY

I, Amy McKay, on my oath do solemnly swear that I am the Controller of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper for 1 consecutive time(s) as follows:

The first publication thereof

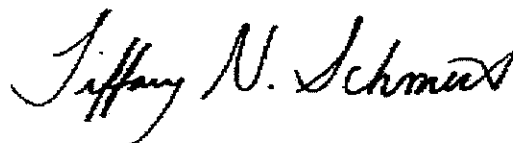
began on the 8th day of July, 2008

Signed in my presence by the said Amy McKay and by her sworn to before me this 9th day of July, A.D. 2008.



Amy McKay
Daily Nonpareil Controller

**NOTICE OF PUBLIC HEARING
ON INTENT TO VACATE AND CONVEY
CITY PROPERTY**
TO WHOM IT MAY CONCERN:
You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to vacate 24th Avenue right-of-way between South 18th and South 19th Streets and abutting Lot 6, Wyatt 2nd Subdivision and abutting Blocks 21 and 36, Railroad Addition.
You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 14th day of July, 2008 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.
Judith H. Ridgeley, City Clerk
2008 (7) 8 - 1 Tuesday



Tiffany N. Schmitt
Notary Public

Filed this 9th day of July, A.D. 2008.
Publication Cost: \$ 10.94



Council Communication
October 13, 2008 City Council Meeting

Department: Community Development	Ordinance No.: N/A Resolution No. <u>08-312</u>	Date: <u>October 27, 2008</u>
Case/Project No.: EZ-08-010		
Subject/Title		
Application for Enterprise Zone Benefits		
Applicant		
BP Quality Homes, L.L.C.		
Location		
Lots 7, 8, 9, 10, 11 and 12 in Porter's Park Side Subdivision (generally located at 28 th Street & Avenue B)		
Background/Discussion		
<p><u>Background</u></p> <p>In October of 2007, Porter Homes, Inc. submitted a request for Enterprise Zone benefits for a project located at North 28th Street and Avenues B and C. This was formerly City owned property on which three large industrial buildings were acquired and demolished. The city also removed contaminated soils on the southern block and over excavated the northern block. Redevelopment of the area also included the construction of a new neighborhood park on the block between Avenues A and B and 28th and 29th Streets, called the Trolley Park. For various reasons, Porter Homes has decided to sell six of the lots on Avenue B to BP Quality Homes, L.L.C. (Bill Perdue and Tracey Andrews). BP Quality Homes, L.L.C. has submitted a request for Enterprise Zone benefits for this project.</p> <p>BP Quality Homes, L.L.C. has submitted three building plans they will be utilizing for this project. The building plans and project specifications are attached to the application showing the different floor plans being offered. The homes will have an attached two car garage, three bedrooms, one bathroom (with an additional bath rough in). The homes will range in size from 1,127 finished sq. ft. to 1,144 finished sq. ft. All of the homes will have vinyl siding, low E vinyl windows, high efficiency gas furnaces, 13 SEER air conditioning and power humidifiers. Included appliances are ranges and dishwashers. The developer will sod the front, side and rear yards and plant at least one – two inch diameter tree in front of each house.</p> <p>The total project investment is \$748,000. The per unit value of the homes will range from \$137,000 to \$150,000. However, only the first \$140,000 in value can be applied for through the Enterprise Zone program. The estimated total financial enterprise zone incentive available to the project is \$89,760. The developer has agreed to comply with the adopted local requirements.</p> <p><u>Discussion</u></p> <p>The City Council established Enterprise Zone-4 with the adoption of Resolution 07-151. The State of Iowa made this possible by the approval of the Enterprise Zone Legislation on July 1, 1997 and the revision of the law during the 1998 legislature to include housing development. The stipulations placed upon the housing project include the construction or rehabilitation of four or more single family houses or one or more multi-family units containing three or more units.</p> <p>Based on review of the applicant's request, the project herein listed meets the State Enterprise Zone requirements and is located in the Council Bluffs Enterprise Zone-4. As a result, the applicant is eligible for the following benefits: 10% investment tax credit and 100% rebate of state sales and utility use taxes.</p>		

Council Communication
October 13, 2008 City Council Meeting

Staff Recommendation

The Community Development Department recommends approval of the Enterprise Zone application submitted by BP Quality Homes, L.L.C. for the construction of six single family units on Lots 7, 8, 9, 10, 11, and 12 in Porter's Park Side Subdivision, which is located on the northwest corner of 28th Street and Avenue B.

Enterprise Zone Commission Recommendation

On September 30, 2008, the Council Bluffs Enterprise Zone Commission met and approved the Enterprise Zone application for BP Quality Homes, L.L.C. Motion by Milford, second by Bates to concur with staff recommendation and approve the EZ application for BP Quality Homes, L.L.C. as presented. The motion carried by unanimous voice vote.

VOTE: AYE – Bates, Biede, Hornbeck, Jares, Milford, Norman and Stazzoni; NAY – None;
 ABSTAIN – None; ABSENT – Andersen and Prichard

Attachments

The BP Quality Homes, L.L.C. Enterprise Zone application discussed above has been provided under separate cover.

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department
Approved by: Donald D. Gross, Director, Community Development Department



RESOLUTION NO. 08-312

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS
AUTHORIZING A JOINT APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC
DEVELOPMENT (IDED) BY THE COUNCIL BLUFFS ENTERPRISE ZONE COMMISSION
AND BP QUALITY HOMES, L.L.C. FOR ENTERPRISE ZONE BENEFITS.**

- WHEREAS,** The City of Council Bluffs established Enterprise Zone-4 pursuant to Iowa House File 724 with the adoption of Resolution No. 07-151; and
- WHEREAS,** Enterprise Zones and the eligible benefits under House File 724 were established to promote economic and housing development in distressed areas; and
- WHEREAS,** BP Quality Homes, L.L.C. proposes to construct six single-family units and has requested Enterprise Zone benefits; and
- WHEREAS,** All of the units will be located in Porter's Park Side Subdivision, which is located on the northwest corner of 28th Street and Avenue B; and
- WHEREAS,** The legal description of the Enterprise Zone assisted units is Lots 7, 8, 9, 10, 11 and 12, Porter's Park Side Subdivision, City of Council Bluffs, Pottawattamie County; and
- WHEREAS,** On September 30, 2008, the Enterprise Zone Commission held a public meeting to review the request of BP Quality Homes, L.L.C.; and
- WHEREAS,** After review and consideration of the request, the Enterprise Zone Commission determined that the BP Quality Homes, L.L.C. project meets the requirements to qualify for benefits.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

Section 1.0 The City Council finds that the BP Quality Homes, L.L.C. project is located within the Council Bluffs Enterprise Zone-4 as approved with the adoption of Resolution No. 07-151.

Section 2.0 The City Council declares BP Quality Homes, L.L.C. an eligible entity for Enterprise Zone benefits.

Section 3.0 That the City Clerk shall provide a copy of this resolution to the Iowa Department of Economic Development.

Section 4.0 The City Council approves the BP Quality Homes, L.L.C. request for a 10% state investment tax credit and a 100% rebate of sales and utility use taxes subject to the entity entering into an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

Section 5.0 The Mayor is hereby authorized to take such further actions as are deemed necessary in order to carry into effect the provisions of this resolution.

Section 6.0 The provisions of this resolution shall be governed by the laws of the State of Iowa.

Section 7.0 That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

Section 8.0 That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

Section 9.0 That the approval of any and all Enterprise Zone benefits is contingent upon BP Quality Homes, L.L.C. meeting all other City codes and ordinances.

Section 10.0 That this resolution shall become effective immediately upon its passage and approval.

ADOPTED

AND

APPROVED: October 27, 2008

Thomas P. Hanafan

Mayor

ATTEST:

Judith H. Ridgeley

City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, 2008, before me the undersigned, a Notary Public in and for said County and State, personally appeared Thomas P. Hanafan and Judith H. Ridgeley, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed

hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Thomas P. Hanafan and said Judith H. Ridgeley, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Council Communication

Department: Community Development Case No. SUB-08-007 Case No. PR-08-004 Applicant: Dial Land Purchasing	Resolution No. <u>08-326</u>	City Council Meeting 10/27/08
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Subject/Title

Orchard Village Subdivision

1. Preliminary plan approval for a three lot subdivision to be known as Orchard Village
2. Adopt the Planned Residential Development Plan for Orchard Village Subdivision

Background/Discussion

Dial Land Purchasing LLC has an option to purchase approximately 23 acres along the west side of State Orchard Road, north of Greenview Road. Dial is requesting preliminary plan approval for a three-lot subdivision to be known as Orchard Village as well as adoption of the Planned Residential Development for Orchard Village Subdivision. One hundred and twenty (120) condominium units in 15 buildings are proposed for Lots 2 and 3. Fifteen two story, 8-unit condominium structures, each with 8 side loading garages will be built in two phases. Phase 1 includes Buildings 1 through 10, 14 and 15 and the clubhouse/pool. Phase 2 is composed of buildings 11-13. Prices are expected to range from \$100,000 for one bedroom units to about \$130,000 for one of the 60 two bedroom units. A 1,500 square foot clubhouse with pool is shown between buildings 14 and 15. Office, exercise/weight room, pool maintenance facilities, kitchen and party room and restrooms are in the building. Yard care and exterior maintenance will be included through dues to a homeowner's association.

Commercial development is proposed for Lot 1 which is 2.29 acres. After deducting 8.76 acres for the private streets, future dedication of public roadway and Outlot 'A' from the 23 acre tract, the net developable area is 14.34 acres of which commercial uses are permitted on 16% or 2.29 acres. The existing R-3/PR zoning is consistent with the proposed residential use and the scale of the proposed commercial use. Two buildings with a total of 16,500 square feet are shown on Lot 1 with 85 parking spaces. Eighty-three spaces are needed for retail use. The specific uses have not been identified at this time. Construction for the commercial lot, including parking and utility installation will start when retail users are identified.

The Planned Residential Overlay allows for review and approval of design standards, landscaping and signage. The entire 23 acre tract and much of the land to the west are zoned R-3/Low Density Multi-family Residential with a PR/Planned Residential Overlay. The current zoning became effective when the land was annexed along with the abutting undeveloped land to the west and Briarwood Subdivision in 2000. At that time, the Community Development Department recommended the R-3/PR zoning to allow flexibility for future development. At the request of Tweedt Engineering, owner of the land to the west, a 150' by 250' parcel was rezoned from R-3/PR to C-2 Commercial in 2003 for a contractor's shop, limited to a 20-year period. Glen Oaks Townhomes are located west of Tweedt's property. Briarwood Subdivision, zoned R-1/Single Family Residential, lies to the north. One parcel at the intersection of State Orchard and Greenview was annexed and rezoned to R-1 in 2005. Single family dwellings and agricultural land outside of the City lie to the south and east. There is a 60' wide drainage easement along the west side of the subject property. The existing tree line is not on this property and will not be removed. The current zoning is consistent with the intent of the 1994 Comprehensive Plan. Zoning is shown on the attached map.

6C

Preliminary Plan – The subdivision abuts State Orchard Road, which will be widened in the future. The final alignment will be based on completion of an environmental impact statement. The public hearing has been held and the comment period on the alignment options is underway. Public Works is requesting 75' of right-of-way to assure that adequate land is available for the new alignment. The area is shown as Outlot 'B'. The ultimate width of the right-of-way at this location is 141' including 33' from the existing centerline of State Orchard Road. The new alignment will connect to Eastern Hills Drive (the eastern beltway) through the Hills of Cedar Creek to the north and east and allow for a 74' wide roadway. The land cannot be built upon and will be dedicated to the City for roadway purposes with the final plat of the subdivision. Public Works agrees to the location of the entrance along State Orchard Road. No other access to the subdivision is permitted from State Orchard or from Greenview. Cross access easements among the lots are required. The streets in the subdivision will be private within 50' or 60' wide easements as shown on the site plan and built to City standards. The proposed streets meet the minimum standards for material, cross sections and profile. Roadway will connect Tipton in Briarwood to the new subdivision. Two potential street connections were platted with the Briarwood Subdivision. Belmont Circle (37' wide) will extend northwesterly within a 60' wide easement, ending in a cul-de-sac. Due to the elevation change, the roadway will not connect to Belmont Drive in Briarwood. Tipton is a 26' wide, curbed and guttered road lying on 50' wide easement. Tipton Drive will connect to the existing Tipton Drive in Briarwood. Water, sanitary and storm sewer designed to City standards are required and shown on the attachments. However, the applicant is proposing these streets be privately owned and maintained.

A storm water management system has been designed to retain up to a 100-year storm event under developed conditions and release it at a level of the predeveloped 5-year peak runoff. Storm drainage is directed from curb inlets as shown and into the detention basin in Outlot 'A'. The existing 60' wide drainage easement along the west side of the property will remain. Public Works has reviewed and concurs with the calculations in the storm water detention analysis. Sanitary sewer will connect to the system in State Orchard Road and one to the south at Greenview. A sewer tap fee for this land based on the benefited area was adopted when Briarwood was subdivided.

The City requires a grading plan, with grading surety bond consistent with an approved preliminary plan and development plan. The Iowa Department of Natural Resources (IDNR) requires a storm water pollution prevention plan prior to any grading on the site. A complete erosion and sediment control plan showing both temporary and permanent measures is subject to review and approval by the Public Works Department to assure a stable site during grading/construction and afterwards. The preliminary soils report indicates the soils are suitable for the proposed uses.

Sidewalks constructed to City standards are required along all frontages of the private roads. The developer shall install privately owned and maintained streetlights at spacing to meet City standards.

Utilities are accessible with adequate capacity to serve the proposed uses. The developer will be responsible for all costs for extending or relocating electric facilities and provide MidAmerican Energy all applicable easements to them at no cost. Black Hills Energy (Aquila) has gas main in both State Orchard and Greenview Roads which can be extended to serve the subdivision.

The water lines will be private with two connections to the 16" main in State Orchard Road. A third tap will extend north through the Tipton Drive right-of-way to connect to existing lines in Briarwood. If the roadways are private, a water main extension agreement is not needed but construction must meet Water Works standards with connection fees required and the lines sized to accommodate the residential and commercial needs. A resilient coated wedge with a swing check valve is need at the 3 system connections. Water service to each building must be metered individually and controlled by an individual shut-off valve accessible to the Water Works. The developer will be charged for connection, tap fees and capital facility charges for all meters and construction water charges. The

private water lines and fire hydrants must be installed consistent with the fire safety and Water Works standards. Water supply for fire protection shall be completed and tested prior to initiating building construction. Fire hydrant spacing shall be no greater than 450' with the distance reduced to 350' for dead end streets, with the maximum distance of not more than 225' (175' on dead-end streets) from any public or private street. All private hydrants must be equipped with lock out caps obtained from the Water Works. The Fire Department requires that the private hydrants be maintained and tested regularly. Results of the annual test must be retained by the owner with a copy sent to the Fire Department.

All lighting shall be directed away from neighboring residential properties and from the vision of motorists and pedestrians as noted in Chapter 15.24 of the Municipal Code.

Planned Residential Development Plan Review – The applicant intends to sell each of the 120 units separately as condominiums/townhouse units. Building codes require additional fire separation between all walls for the units to be sold individually. The residential buildings and the clubhouse will have vinyl siding and asphalt shingle roofs as shown on the attachment.

Parking on Lot 1, as shown is adequate to meet the off-street parking requirements for retail sales. Parking requirements based on a specific use must comply with the requirements in Chapter 15.23 'Off-street Parking, Loading and Unloading'. Two parking spaces are required for each of the 120 townhouse units with additional stalls for the occupancy of the clubhouse. Two hundred and forty-eight residential parking spaces are shown, including the eight garages which are attached to each eight-plex building. The number of spaces for the residential use is adequate.

The site layout shows parking in front of most of the residential buildings. Public Works is concerned about traffic backing out into roadways, which is not allowed to this extent onto public streets. As private streets, parking is permitted. The parking areas in front of buildings 7 and 8 have been removed due to concern for safety when backing into the private street Belmont Drive is the main entrance and the commercial lot will generate more traffic than the rest of the development. Buildings 11 and 12 can be moved farther back from the street to accommodate parking. Additional landscaping should be incorporated as a buffer between those two buildings and Lot 1.

The landscape and signage plans are defined in the recommendation.

Recommendation

The Community Development Department recommends:

1. Approve the preliminary plan for a subdivision to be known as Orchard Village, subject to the following notes and conditions:
 - a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04- Subdivision Ordinance)
 - b. The proposed subdivision is consistent with the purpose and intent of the Subdivision and Zoning Ordinances. All of the proposed lots abut public street right-of-way circulation in the subdivision will be on private streets built to City standards to accommodate the residential parking needs.
 - c. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. These improvements include sanitary and storm sewer connections to the 23.1 acre parcel. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction

shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local state and federal requirements shall be the developer's responsibility.

- d. In addition to the 33' wide street dedication shown along the center line of State Orchard Road, the additional 75' wide area shown as Outlot 'B' shall be dedicated to the City for right-of-way to allow for the future reconstruction of State Orchard Road.
- e. An erosion and sediment control and grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
- f. A sanitary trunk sewer line has been constructed in the State Orchard Road right-of-way. A 'tap-on' fee of \$1617.37 per acre is payable when a building permit is requested for any lot within the proposed subdivision. (Ordinance No. 5426, dated 10-26-98) Storm sewer and the water main extension will be part of the road construction project. Utilities can be extended with sufficient capacity to serve the proposed development. The developer bears the costs to extend the services to the subdivision and to each lot.
- g. The private roadways will be built to City standards. Access to State Orchard Road is limited to the one entrance shown as Belmont Drive on the plat. The overall street layout and both the vertical and horizontal alignments are consistent with Public Works standards.
- h. Arrangements shall be completed with the Council Bluffs Water Works to extend water lines with adequate capacity for the use to serve each building in each lot, controlled by an individual valve accessible to the Water Works.
- i. Permanent access easements shall be noted on the final plat and the maintenance agreement for the private drives shall be executed with responsibilities and funding defined and recorded concurrently.
- j. All utilities shall be installed underground, with costs borne by the developer. The developer shall maintain all clearances from existing electric facilities and pay all costs associated with extending or relocating any facilities. Based upon the route determined by MidAmerican Energy, the developer shall install the conduit system and provide the appropriate easements.
- k. Fire hydrant spacing shall meet the minimum spacing limitations as required by the Fire Department and the Water Works as noted above.
- l. Sidewalk shall be built at no expense to the City, along the frontage of each lot abutting the private roadway when the streets are constructed. Sidewalk is not the developer's responsibility along the State Orchard Road right-of-way adjacent to the subdivision, as it will be built as part of the State Orchard Road reconstruction project. Potentially a walking/biking trail will be built along the east side of the street.

2. Approve the Planned Residential Development Plan for Orchard Village Subdivision, as presented, subject to the following conditions:

- a. In order for these units to be sold individually, each 'townhouse' unit shall be built to comply with the 'dwelling unit separation' requirements as defined in the 2003 International Residential Code. A townhouse is a single family dwelling, constructed in a group of attached units with a zero-setback property line and separated by a 1-hour rated assembly.
- b. Two off-street parking spaces are required for each unit as well as parking to meet the capacity requirements of the clubhouse.
- c. Private street lighting shall be installed by the developer at spacing to meet City standards.
- d. The landscape plan for the area is generally acceptable with the following conditions and exceptions:
 - i. Purple Autumn Ash shall be replaced with a tree of comparable size at the locations shown on the landscape plan.
 - ii. A complete listing of the species, size, location and quantities of all plant material along with the planting schedule shall be presented with the first building permit.

- iii. With the final plat approval, the landscape treatment around the detention basin in Outlot A shall be presented for review and approval.
- iv. All landscaped areas shall be included in a site irrigation system presented with the first building permit.
- v. All plant material and the irrigation system consistent with the approved plan shall be in place prior to issuance of the Certificate of Occupancy for the adjacent building.
- e. Signage plan Orchard Village is as follows:
 - i. Detached signage for Lot 1 shall be limited to one monument sign designed to include the center's name with space for tenant identification. Maximum height from existing grade shall be 6' with total sign area not to exceed 120 square feet per face.
 - ii. Attached signage in Lot 1 shall comply with the regulations in the C-2 District.
 - iii. One monument sign, maximum height of 6' from existing grade and maximum sign area of 60 square feet per face located at the entrance along State Orchard Road is permitted to identify the residential development on Lots 2 and 3.
 - iv. Monument sign area is calculated as the total structure.
 - v. Signage shall comply with all applicable city, state and federal regulations. The applicant or an authorized agent shall obtain all necessary sign permits.
- f. Outside storage is not permitted. Trash enclosures shall be fully enclosed and gated. The enclosures shall be the same or complementary to the color of the buildings.

Public Hearing

The following appeared before the Planning Commission in favor of the request:
Karla Lemaster, Dial Land Purchasing LLC, 11506 Nicholas St., Omaha, NE.
Larry McChesney, TSP, 9802 Nicholas St., Omaha, NE

The following appeared in opposition:
Tyler O'Brien, 729 Redwood, Council Bluffs, IA
Marie Larchick, 125 Glen Oaks Dr., Council Bluffs, IA

Planning Commission to City Council

The Planning Commission recommends:

- 1.) Approval of the Preliminary Plan for a subdivision to be known as Orchard Village, subject to the notes and conditions listed in the staff report.
- 2.) Adoption of the Planned Residential Development Plan, subject to the conditions listed in the staff report.

VOTE: Aye 7 Nay 3 Abstain 1 Absent 0 Motion Carried

Attachments: Zoning Map and Attachment 'A'

Applicant: Dial Land Purchasing LLC, - K. Lemaster, 11506 Nicholas St., #200, Omaha, NE 68154

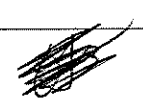
Owner: George T. Jacobs, 404 Fawn Park Circle, Council Bluffs, IA 51503

Owner's Representative: Deborah Petersen, 215 So Main, Council Bluffs, IA 51503

Engineer: Design Engineering and Assoc., Larry Hagwood, 9749 So 175th Circle, Omaha, NE 68136

Architect: TSP, Larry McChesney, AIA, 9802 Nicholas St., Suite 205, Omaha, NE 68114-2167

Prepared by: Gayle M. Malmquist, Development Services Coordinator



Judith Ridgeley

From: Rita Willmott [rwillmott@cox.net]
Sent: Monday, October 20, 2008 4:02 PM
To: Judith Ridgeley
Subject: Opposed to Concept for Cornfield Behind Briarwood Subdivision

Judith,

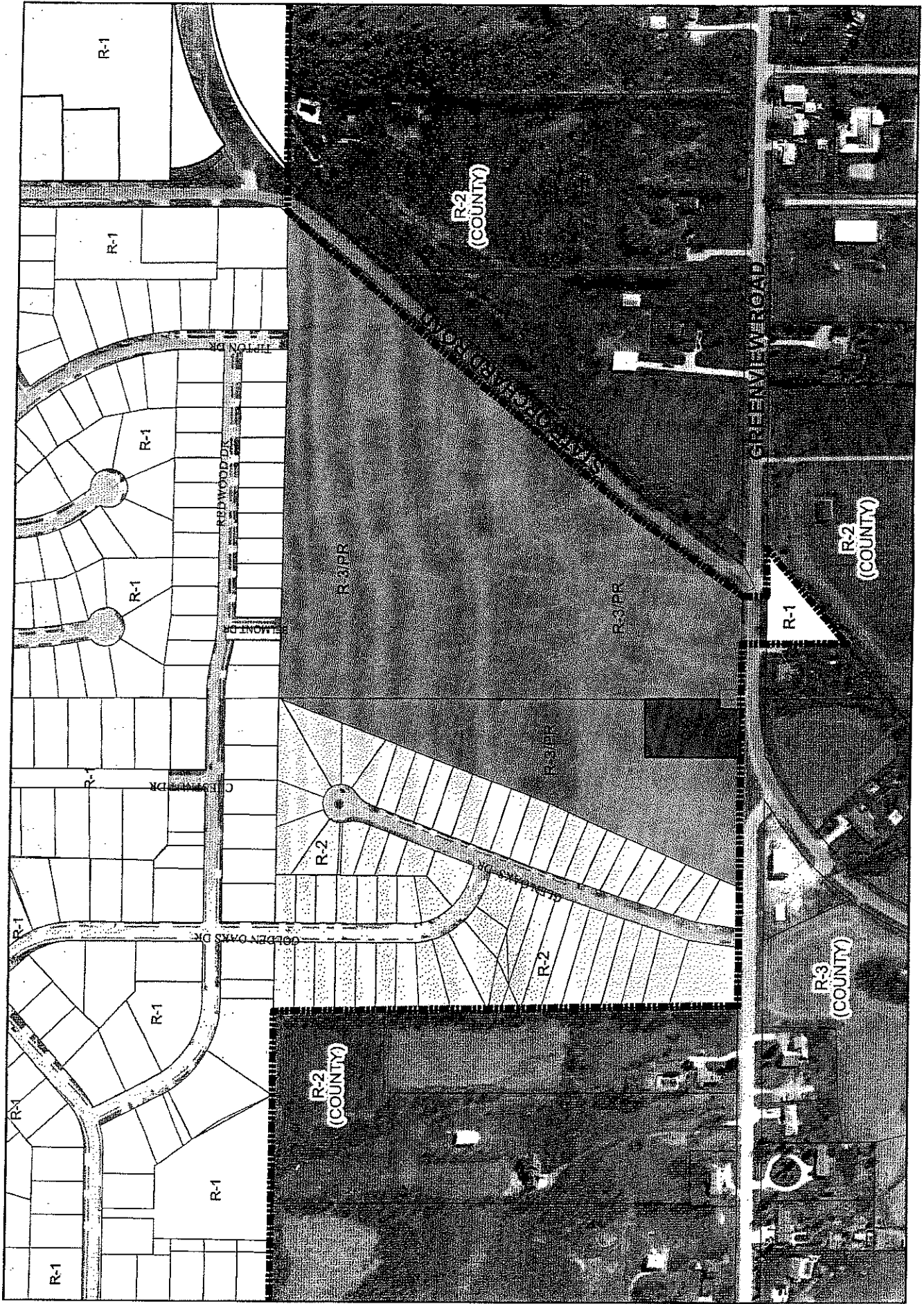
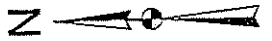
I live at 707 Redwood Drive in the Briarwood Subdivision. I am not opposed to development of the cornfield behind my house. However, I am opposed to removing 40 feet of soil and to something similar to rental property.

Removal of soil will surely cause drainage issues and more importantly, a huge dropoff at the back of my property. There are a lot of children and grandchildren in this neighborhood, and the increased opportunity for danger with a 40-foot cliff is not a good idea.

I moved to this area because of the "rural" feel of the area. That is all changing now and I have to reevaluate whether or not I want to be a taxpayer in Pott County.

Rita Willmott
Council Bluffs, Iowa 51503
mobile 402-669-9130 | rwillmott@cox.net

"I only went out for a walk and finally concluded to stay out till sundown, for going out, I found, was really going in." - John Muir

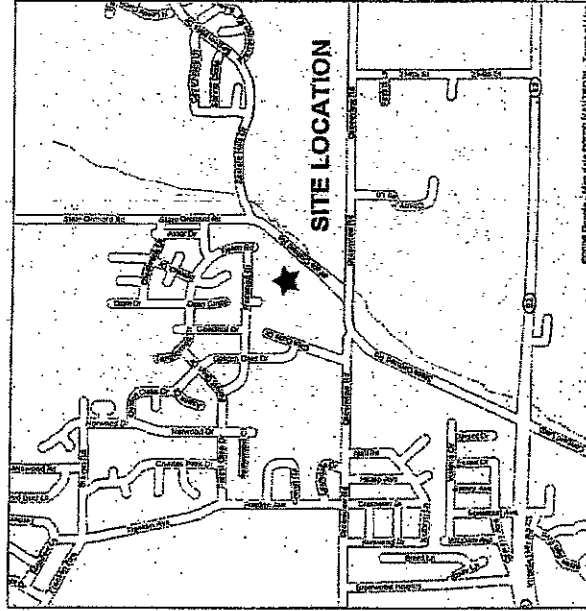


CASE #SUB-08-007
CASE #PR-08-004

COUNCIL BLUFFS, IOWA

CASE #SUB-08-007

CASE #PR-08-004



Residential Eight Plex / Two-Story

Unit Mix

Two Bed. 60

Phase One 96

Parking 244 Cars Tot.

One-Story (max. ht. 30')

Parking	86
---------	----

Ratio 5.21/1,000 S.F.

Lot 1
2.29 Acres

Lot 3 11.14

Outlet "B" 2.7

23.1 Acres Tot.

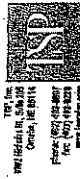
VICINITY MAP

SHEET LEGEND

- | | |
|----|----------------------------|
| L1 | Commercial Landscaping |
| L2 | Residential Landscaping |
| A1 | 8 Plex Plan |
| A2 | 8 Plex Elevation |
| A3 | Clubhouse Plan & Elevation |

Design Engineering and Assoc.

1. Preliminary Plat
2. Preliminary Site Plan
3. Preliminary Grading Plan
4. Preliminary Utility Plan
5. Preliminary Street Profiles



To Solve To Find To Find

THE UNIVERSITY OF CHICAGO PRESS

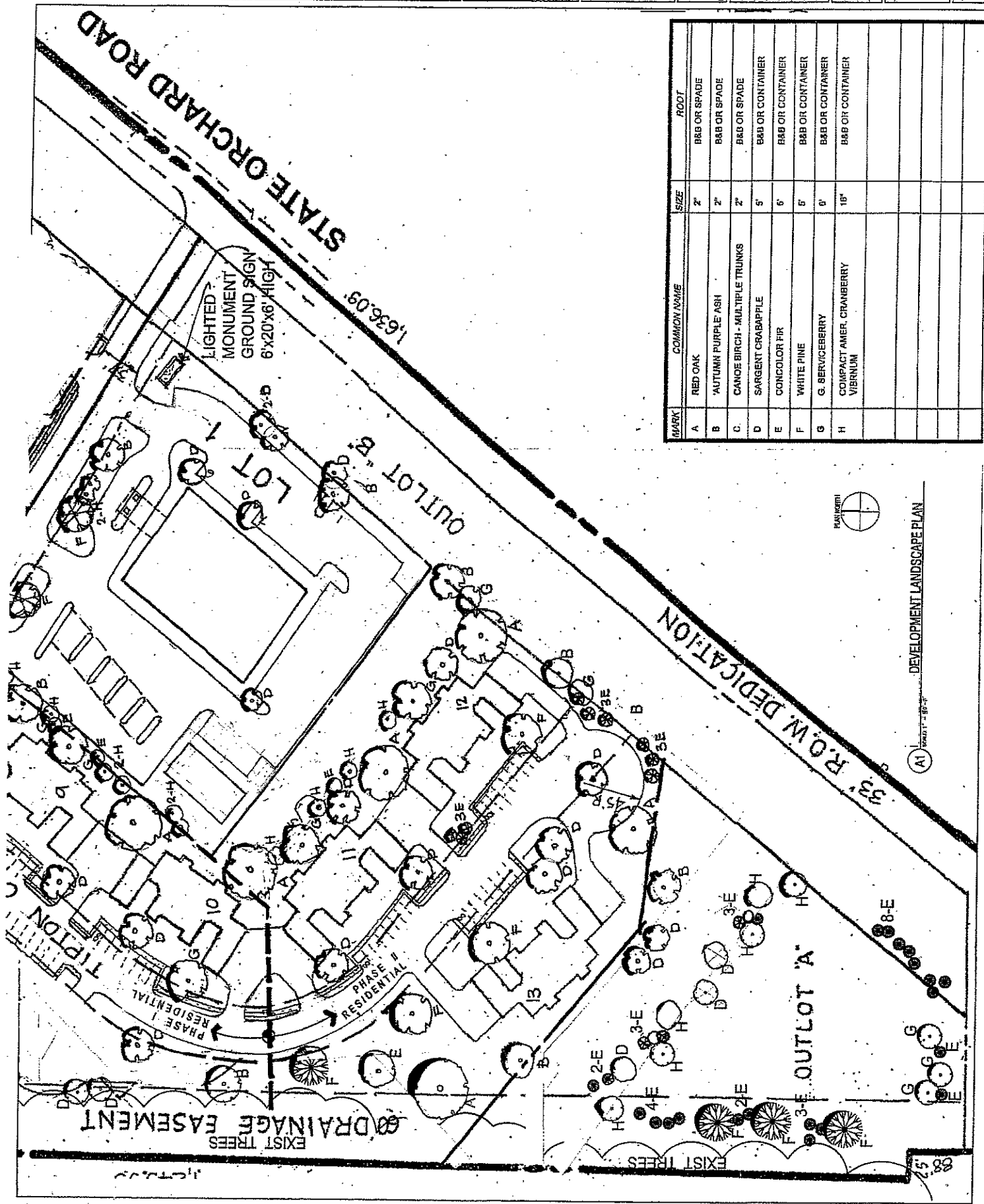
**Orchard Village
Council Bluffs, Iowa**

Dial Land Purchasing LLC.

FORMER	DATE	DESCRIPTION
FD-211/00	3/31/00	BRASS ESE
	4/1/00	
	9/16/00	
	9/22/00	
	1/24/00	
	1/29/00	RESD

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 COORDINATOR #:
 DRAWER #:
 CHECK ID:
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 SHEET NUMBER:

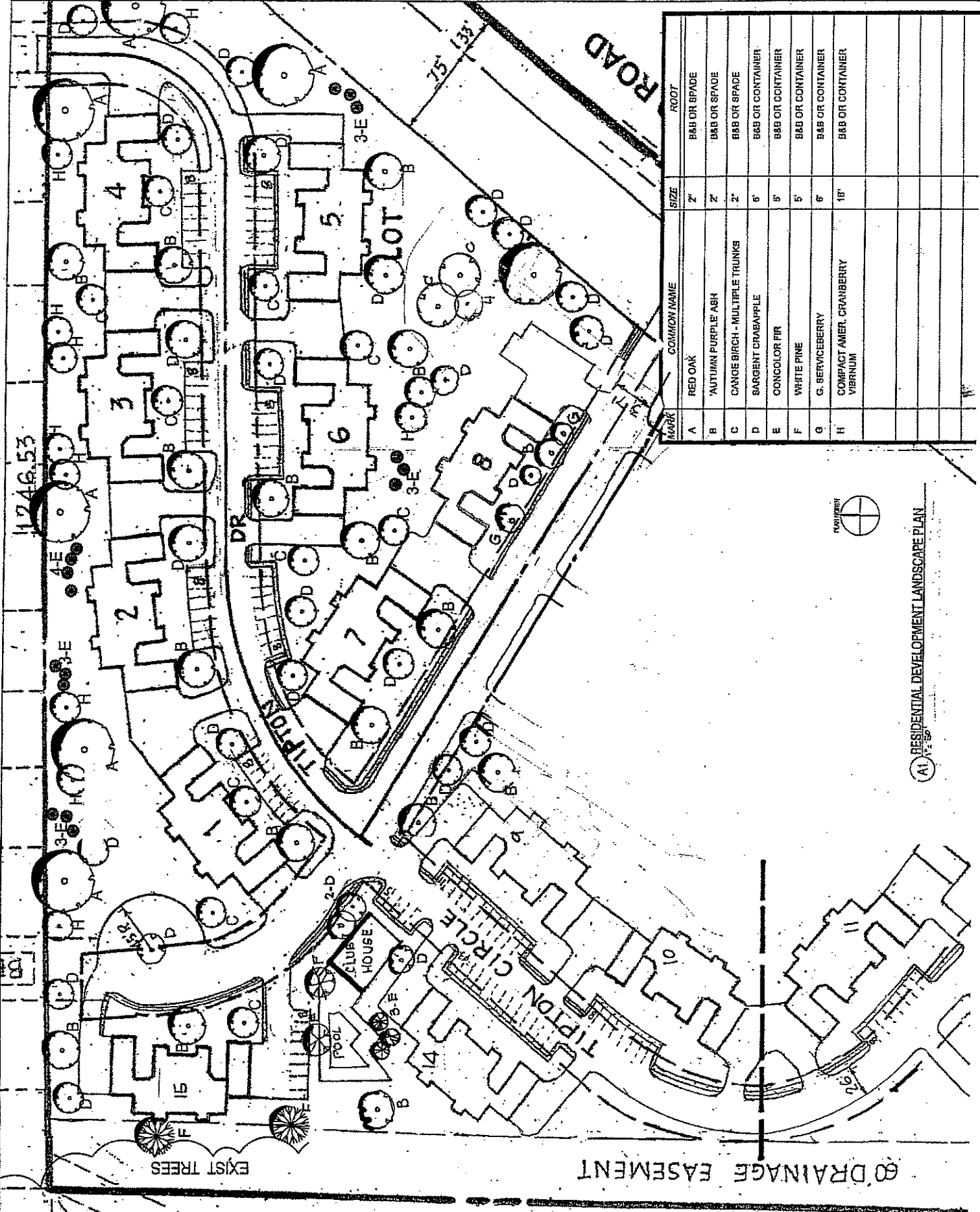
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1/24/08	1/24/08	REVISED
4/11/08	4/11/08	REVISED
CONTRACT NUMBER #:	P7020178	
CONSULTANT #:		
DRAWN BY:	EDY	
CHECK BY:	EW	
SHEET TITLE		
COMMERCIAL LANDSCAPING		
SHEET NUMBER		



MARK	COMMON NAME	SIZE	ROOT
A	RED OAK	2"	BAB OR GRADE
B	AUTUMN PURPLE ASH	2"	BAB OR GRADE
C	CANDICE BIRCH - MULTIPLE TRUNKS	2"	BAB OR GRADE
D	SARGENT CRABAPPLE	5'	BAB OR CONTAINER
E	CONCOLOR FIR	6'	BAB OR CONTAINER
F	WHITE PINE	5'	BAB OR CONTAINER
G	G. SERVICEBERRY	0'	BAB OR CONTAINER
H	COMPACT AMER. CRANBERRY VERNUM	16"	BAB OR CONTAINER

DEVELOPMENT LANDSCAPE PLAN
 (A1) SCALE: 1" = 30'-0"

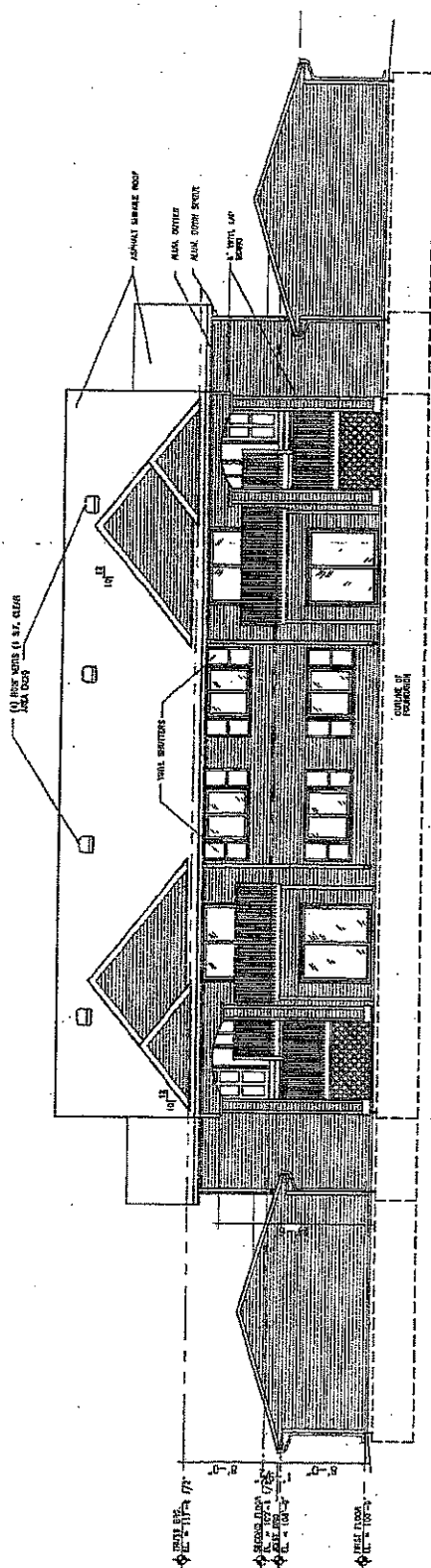
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DATE	DESCRIPTION
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REVISIONS	
DATE	DESCRIPTION
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1/21/09	REVISED
1/22/09	REVISED
CONTACT PERSON: P10717178	
COMPANY: TSP	
DRAWN BY: LEV	
CHECK BY: LEV	
SHEET TITLE	
RESIDENTIAL LANDSCAPING	
SHEET NUMBER	
12	



MARK	COMMON NAME	SIZE	ROOT
A	RED OAK	2"	B&B OR SHADE
B	'AUTUMN PURPLE' ASH	2"	B&B OR SHADE
C	CANDICE BIRCH - MULTIPLE TRUNKS	2"	B&B OR SHADE
D	SARGENT CRABAPPLE	5'	B&B OR CONTAINER
E	CONCOLOR FIR	5'	B&B OR CONTAINER
F	WHITE PINE	5'	B&B OR CONTAINER
G	G. SERVICEBERRY	5'	B&B OR CONTAINER
H	COMPACT AMER. CRANBERRY VIBURNUM	18"	B&B OR CONTAINER

(A) RESIDENTIAL DEVELOPMENT LANDSCAPE PLAN

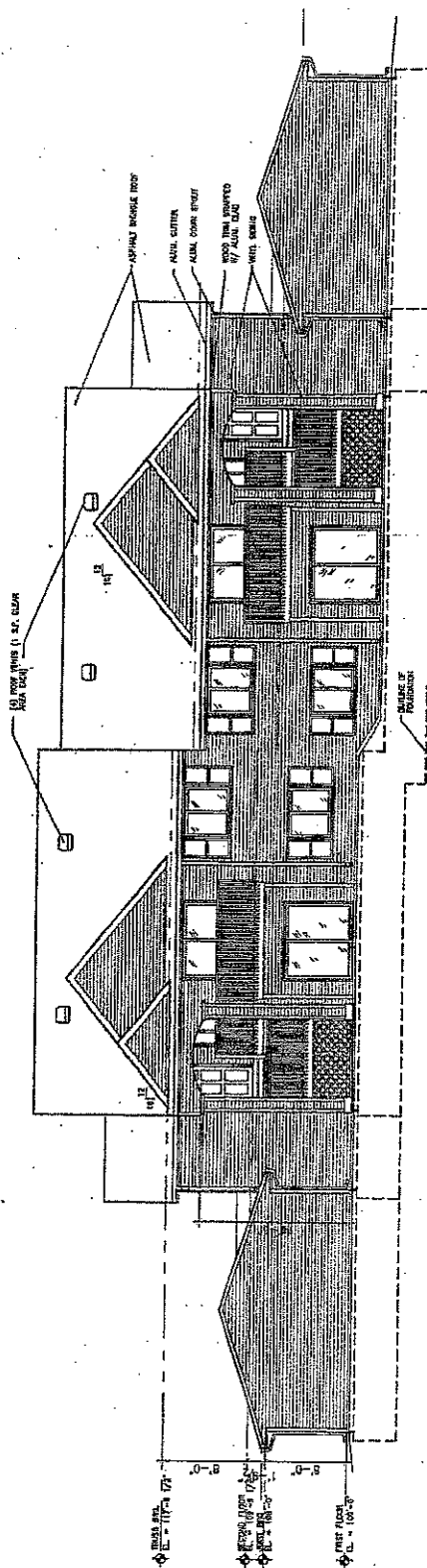
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2/17/48			
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REVISIONS		REVISIONS	
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1/24/48			
1/29/48	REVISION		
CONTRACT NUMBER #		PROJECT #	
COMPLAINT #		DRAWING #	
CUES OF		CUES OF	
SHEET TITLE		SHEET TITLE	
EXTERIOR ELEVATIONS			
SHEET NUMBER			



FRONT ELEVATION

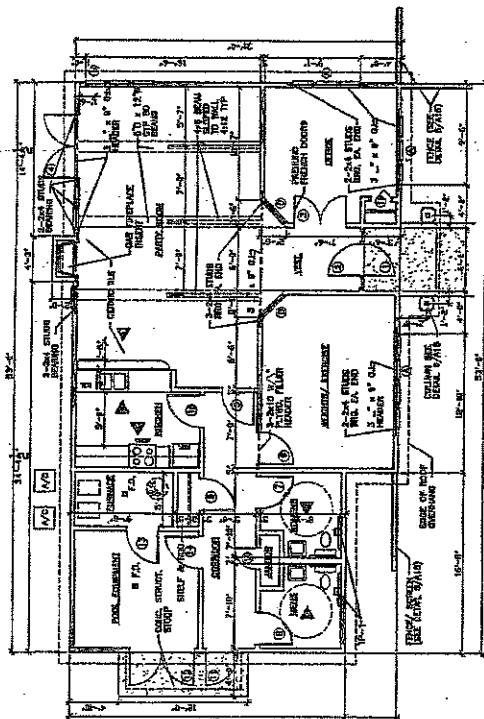
SCALE: 1/8" = 1'-0"

1. ALL DOORWAYS TO HAVE
FIREPROOF FLASH BLOCKS
2. ALL WINDOWS TO HAVE 1" X 16" X 4" WITH
CERTIFIED
3. EXTERIOR DOORWAYS & STAIRS TO HAVE W/
TREATED TIMBER
4. ENTRY DOORS TO BE (2) PANEL, REAR, WITH
DOOR.
5. STAIRS TO BE TRAPDOOR BY ALUMINUM

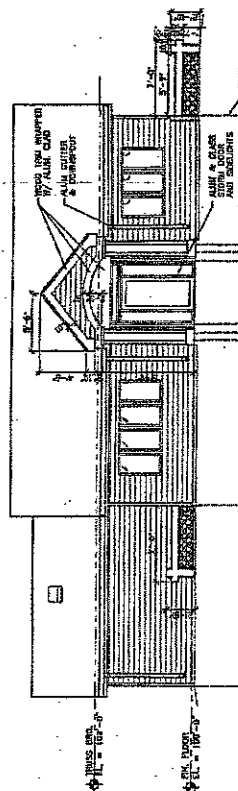


A1 FRONT ELEVATION

SCALE: 1/8" = 1'-0"



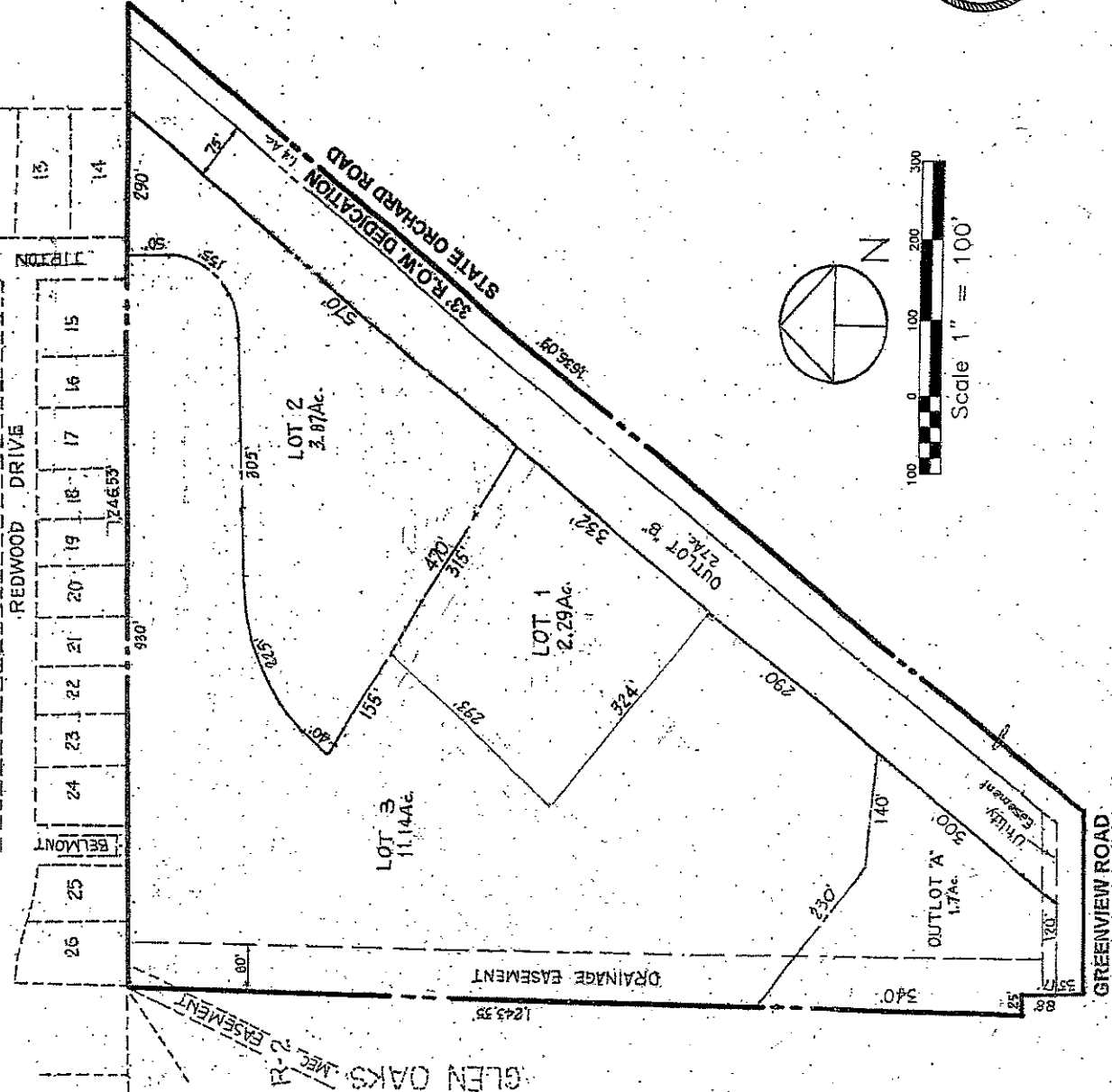
FLOOR PLAN
SCALE: 1/8" = 1'-0"



FRONT ELEVATION

ORCHARD VILLAGE

PRELIMINARY PLAT



LEGAL DESCRIPTION

Beginning at the Southeast corner of the Northeast 1/4 of Section 4-74-43, thence N88°51'27"E along the centerline of State Orchard Road a distance of 1,806.39 feet, thence N89°13'21"W a distance of 1,246.53, thence S02°59'17"W a distance of 1,243.35 feet, thence N88°52'38"E a distance of 25 feet, thence S02°59'17"W a distance of 88 feet, thence N88°52'38"E a distance of 262.69 feet to the point of beginning.

OWNER

GEORGE T. JACOBS
404 FAWN PARK CIRCLE
COUNCIL BLUFFS, IOWA, 51503

DEVELOPER

DIAL LAND DEVELOPMENT
11506 NICHOLAS STREET
OMAHA, NE., 68154
402-493-2800

ARCHITECT

TSP
9802 NICHOLAS STREET
OMAHA, NE., 68114-2167
402-493-8997

ENGINEER

DESIGN ENGINEERING AND ASSOC.
9749 SO. 175TH CIRCLE
OMAHA, NE., 68138
402-758-0840

EXISTING ZONING

R-3/PR



L. Hagedorn
9-16-08

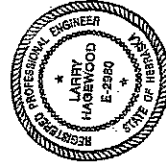
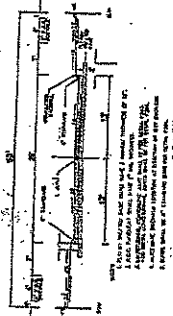
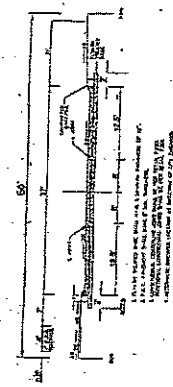
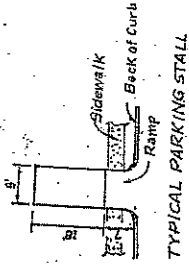
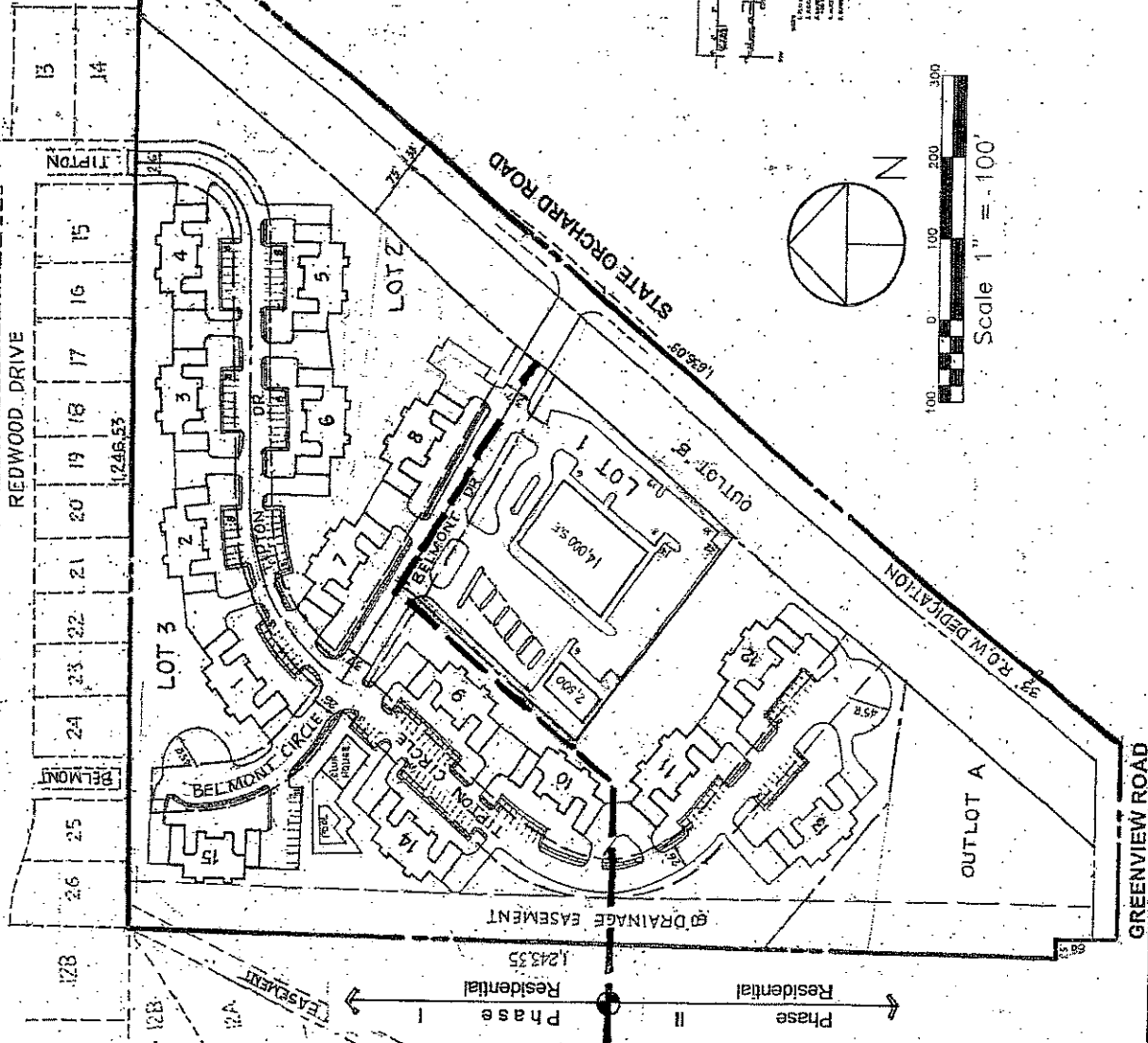
ORCHARD VILLAGE
SCALE: 1"=100'
DATE: 2-11-08
APPROVED BY:

PRELIMINARY PLAT

DESIGN ENGINEERING AND ASSOC.
9749 SOUTH 175TH CIRCLE OMAHA, NE.

DRAWING NUMBER
1 of 5

ORCHARD VILLAGE

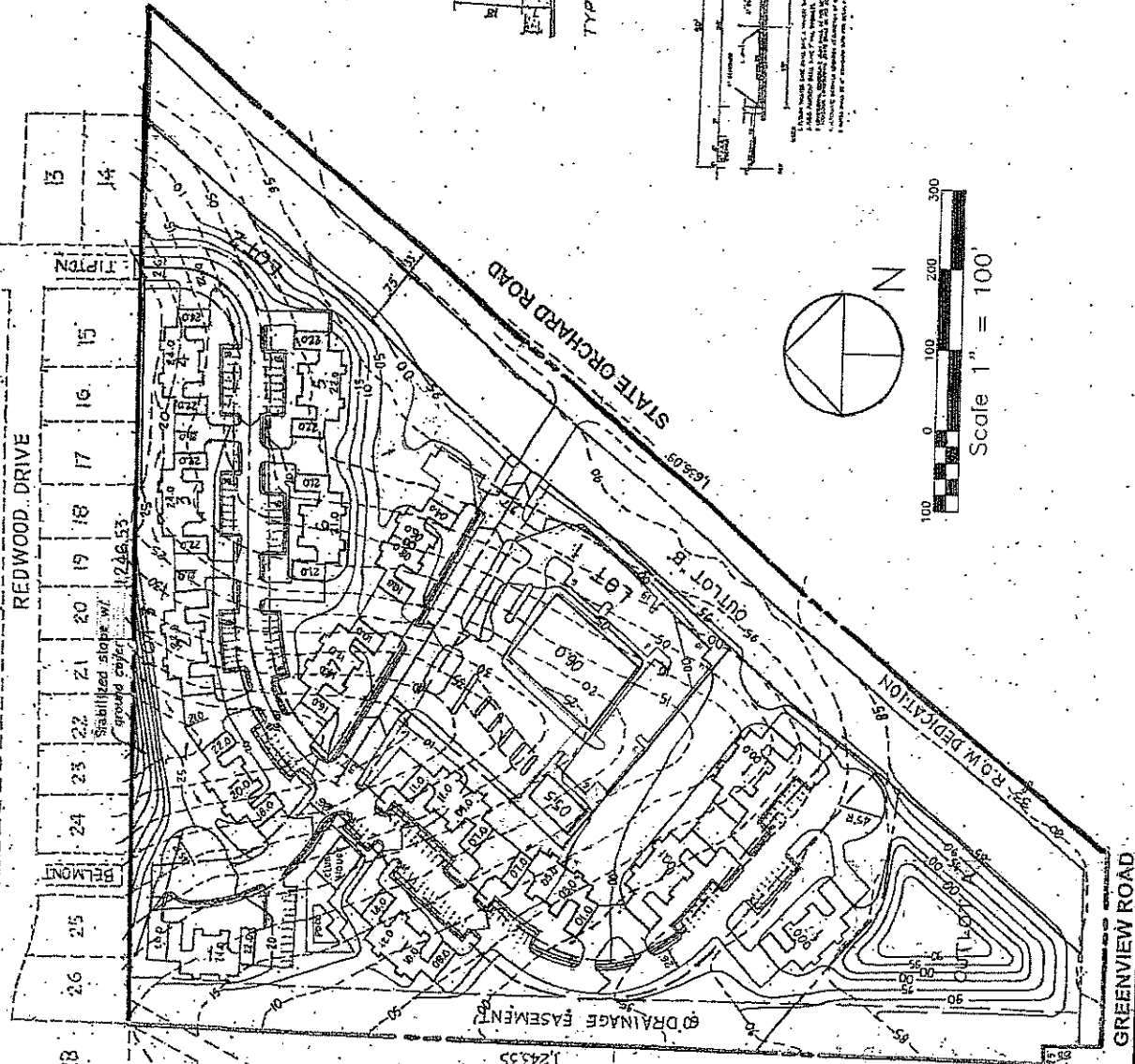


ORCHARD VILLAGE	
SCALE: 1/100'	APPROVED BY:
DATE: 2-28-08	DESIGNED BY:
PRELIMINARY SITE PLAN	
DESIGN ENGINEERING AND ASSOC. 8748 SOUTH 175 TH CIRCLE, OMAHA, NE	
DRAWING NUMBER: 2 of 5	

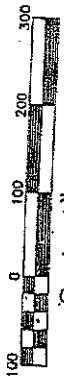
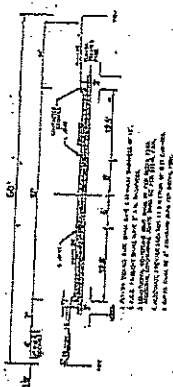
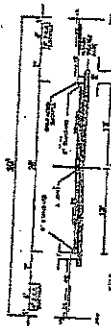
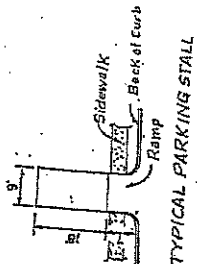
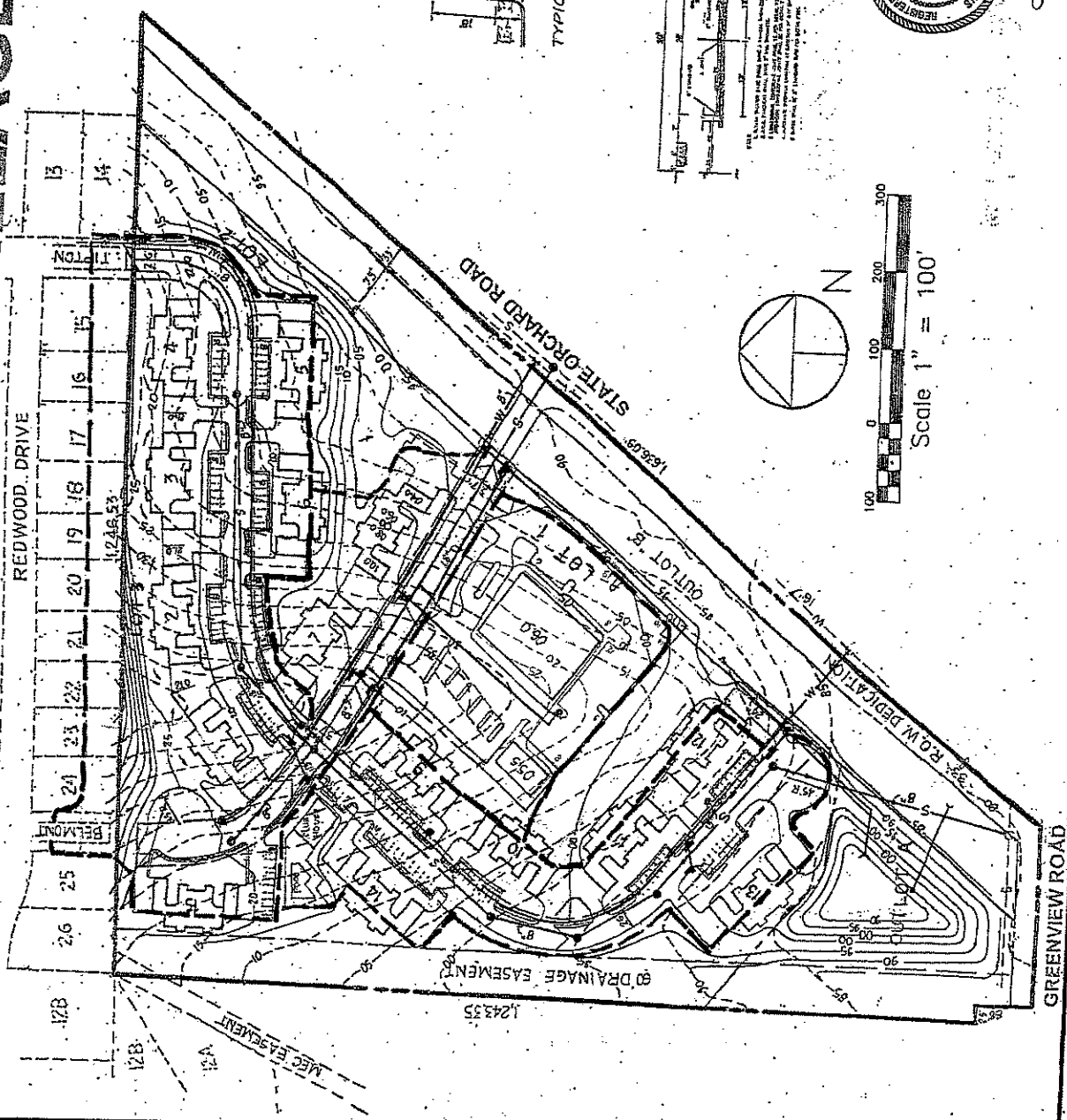
L. Haswood
9-16-08

ORCHARD VILLAGE

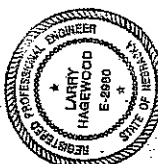
PRELIMINARY GRADING PLAN



ORCHARD VILLAGE



Scale 1" = 100'



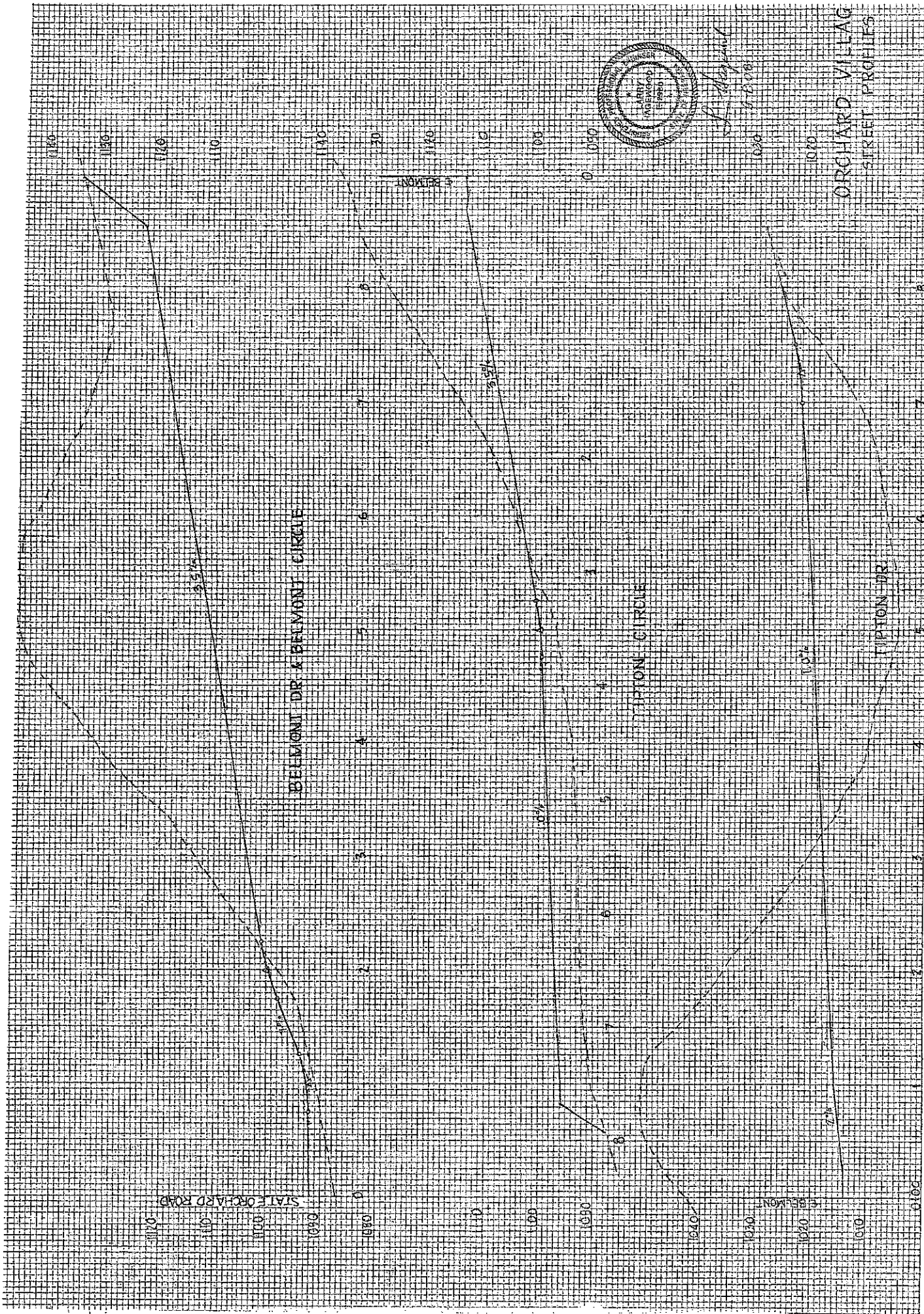
L. Hagerwood
9.16.08

ORCHARD VILLAGE

SCALE: 1"=100'
DATE: 2-28-08
DRAWN BY: [blank]
REVISED: 9-16-08

PRELIMINARY UTILITY PLAN

DESIGN ENGINEERING AND ASSOC.
8745 SOUTH 178TH CIRCLE, DALLAS, TX 75242
4 of 5



RESOLUTION NO. 08-326

A RESOLUTION granting preliminary plan approval for a three lot subdivision to be known as Orchard Village.

WHEREAS, Dial Land Purchasing LLC has an option to purchase approximately 23 acres along the west side of State Orchard Road, north of Greenview Road and is requesting preliminary plan approval for a three lot subdivision to be known as Orchard Village; and

WHEREAS, the preliminary plan has been reviewed by the appropriate city departments and utilities; and

WHEREAS, the Planning Commission concurs with the Community Development Department, and recommends approval of the preliminary plan for a subdivision to be known as Orchard Village, as shown on the Attachment, subject to the following notes and conditions:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat”. (Section 14.11.060.04 – Subdivision ordinance).
2. The proposed subdivision is consistent with the purpose and intent of the Subdivision and Zoning Ordinances. All of the proposed lots abut public street right-of-way. Circulation in the subdivision will be on private streets built to City standards to accommodate the residential parking needs.
3. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. These improvements include sanitary and storm sewer connections to the 23.1 acre parcel. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the developer’s responsibility.
4. In addition to the 33’ wide street dedication shown along the center line of State Orchard Road, the additional 75’ wide area shown as Outlot “B” shall be dedicated to the City for right-of-way to allow for the future construction of State Orchard Road.
5. An erosion and sediment control and grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.

6. A sanitary trunk sewer line has been constructed in the State Orchard Road right-of-way. A "tap-on" fee of \$1,617.37 per acre is payable when a building permit is requested for any lot within the proposed subdivision. (Ordinance No. 5426, dated 10-26-98) Storm sewer and the water main extension will be part of the road construction project. Utilities can be extended with sufficient capacity to serve the proposed development. The developer bears the costs to extend the services to the subdivision and to each lot.

7. The private roadways will be built to City standards. Access to State Orchard Road is limited to the one entrance shown as Belmont Drive on the plat. The overall street layout and both the vertical and horizontal alignments are consistent with Public Works standards.

8. Arrangements shall be completed with the Council Bluffs Water Works to extend water lines with adequate capacity for the use to serve each building in each lot, controlled by an individual valve accessible to the Water Works.

9. Permanent access easements shall be noted on the final plat and the maintenance agreement for the private drives shall be executed with responsibilities and funding defined and recorded concurrently.

10. All utilities shall be installed underground, with costs borne by the developer. The developer shall maintain all clearances from existing electric facilities and pay all costs associated with extending or relocating any facilities. Based upon the route determined by MidAmerican Energy, the developer shall install the conduit system and provide the appropriate easements.

11. Fire hydrant spacing shall meet the minimum spacing limitations as required by the Fire Department the Water Works as noted above.

12. Sidewalk shall be built at no expense to the City, along the frontage of each lot abutting the private roadway when the streets are constructed. Sidewalk is not the developer's responsibility along the State Orchard Road right-of-way adjacent to the subdivision, as it will be built as part of the State Orchard Road reconstruction project. Potentially, a walking/biking trail will be built along the east side of the street.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That preliminary plan approval for Orchard Village Subdivision, as shown on the Attachment, is hereby approved subject to the conditions set forth above.

ADOPTED
AND
APPROVED October 27, 2008

THOMAS P. HANAFAN Mayor

Attest: _____
JUDITH RIDGELEY City Clerk

Planning Case No. SUB-08-007

Council Communication

Department: Community Development Case No. SUB-08-007 Case No. PR-08-004 Applicant: Dial Land Purchasing	Resolution No. <u>08-327</u>	City Council Meeting 10/27/08
Subject/Title		
Orchard Village Subdivision		
<ol style="list-style-type: none">1. Preliminary plan approval for a three lot subdivision to be known as Orchard Village2. Adopt the Planned Residential Development Plan for Orchard Village Subdivision		
Background/Discussion		
<p>Dial Land Purchasing LLC has an option to purchase approximately 23 acres along the west side of State Orchard Road, north of Greenview Road. Dial is requesting preliminary plan approval for a three-lot subdivision to be known as Orchard Village as well as adoption of the Planned Residential Development for Orchard Village Subdivision. One hundred and twenty (120) condominium units in 15 buildings are proposed for Lots 2 and 3. Fifteen two story, 8-unit condominium structures, each with 8 side loading garages will be built in two phases. Phase 1 includes Buildings 1 through 10, 14 and 15 and the clubhouse/pool. Phase 2 is composed of buildings 11-13. Prices are expected to range from \$100,000 for one bedroom units to about \$130,000 for one of the 60 two bedroom units. A 1,500 square foot clubhouse with pool is shown between buildings 14 and 15. Office, exercise/weight room, pool maintenance facilities, kitchen and party room and restrooms are in the building. Yard care and exterior maintenance will be included through dues to a homeowner's association.</p> <p>Commercial development is proposed for Lot 1 which is 2.29 acres. After deducting 8.76 acres for the private streets, future dedication of public roadway and Outlot 'A' from the 23 acre tract, the net developable area is 14.34 acres of which commercial uses are permitted on 16% or 2.29 acres. The existing R-3/PR zoning is consistent with the proposed residential use and the scale of the proposed commercial use. Two buildings with a total of 16,500 square feet are shown on Lot 1 with 85 parking spaces. Eighty-three spaces are needed for retail use. The specific uses have not been identified at this time. Construction for the commercial lot, including parking and utility installation will start when retail users are identified.</p> <p>The Planned Residential Overlay allows for review and approval of design standards, landscaping and signage. The entire 23 acre tract and much of the land to the west are zoned R-3/Low Density Multi-family Residential with a PR/Planned Residential Overlay. The current zoning became effective when the land was annexed along with the abutting undeveloped land to the west and Briarwood Subdivision in 2000. At that time, the Community Development Department recommended the R-3/PR zoning to allow flexibility for future development. At the request of Tweedt Engineering, owner of the land to the west, a 150' by 250' parcel was rezoned from R-3/PR to C-2 Commercial in 2003 for a contractor's shop, limited to a 20-year period. Glen Oaks Townhomes are located west of Tweedt's property. Briarwood Subdivision, zoned R-1/Single Family Residential, lies to the north. One parcel at the intersection of State Orchard and Greenview was annexed and rezoned to R-1 in 2005. Single family dwellings and agricultural land outside of the City lie to the south and east. There is a 60' wide drainage easement along the west side of the subject property. The existing tree line is not on this property and will not be removed. The current zoning is consistent with the intent of the 1994 Comprehensive Plan. Zoning is shown on the attached map.</p> <p>6 D</p>		

Preliminary Plan – The subdivision abuts State Orchard Road, which will be widened in the future. The final alignment will be based on completion of an environmental impact statement. The public hearing has been held and the comment period on the alignment options is underway. Public Works is requesting 75' of right-of-way to assure that adequate land is available for the new alignment. The area is shown as Outlot 'B'. The ultimate width of the right-of-way at this location is 141' including 33' from the existing centerline of State Orchard Road. The new alignment will connect to Eastern Hills Drive (the eastern beltway) through the Hills of Cedar Creek to the north and east and allow for a 74' wide roadway. The land cannot be built upon and will be dedicated to the City for roadway purposes with the final plat of the subdivision. Public Works agrees to the location of the entrance along State Orchard Road. No other access to the subdivision is permitted from State Orchard or from Greenview. Cross access easements among the lots are required. The streets in the subdivision will be private within 50' or 60' wide easements as shown on the site plan and built to City standards. The proposed streets meet the minimum standards for material, cross sections and profile. Roadway will connect Tipton in Briarwood to the new subdivision. Two potential street connections were platted with the Briarwood Subdivision. Belmont Circle (37' wide) will extend northwesterly within a 60' wide easement, ending in a cul-de-sac. Due to the elevation change, the roadway will not connect to Belmont Drive in Briarwood. Tipton is a 26' wide, curbed and guttered road lying on 50' wide easement. Tipton Drive will connect to the existing Tipton Drive in Briarwood. Water, sanitary and storm sewer designed to City standards are required and shown on the attachments. However, the applicant is proposing these streets be privately owned and maintained.

A storm water management system has been designed to retain up to a 100-year storm event under developed conditions and release it at a level of the predeveloped 5-year peak runoff. Storm drainage is directed from curb inlets as shown and into the detention basin in Outlot 'A'. The existing 60' wide drainage easement along the west side of the property will remain. Public Works has reviewed and concurs with the calculations in the storm water detention analysis. Sanitary sewer will connect to the system in State Orchard Road and one to the south at Greenview. A sewer tap fee for this land based on the benefited area was adopted when Briarwood was subdivided.

The City requires a grading plan, with grading surety bond consistent with an approved preliminary plan and development plan. The Iowa Department of Natural Resources (IDNR) requires a storm water pollution prevention plan prior to any grading on the site. A complete erosion and sediment control plan showing both temporary and permanent measures is subject to review and approval by the Public Works Department to assure a stable site during grading/construction and afterwards. The preliminary soils report indicates the soils are suitable for the proposed uses.

Sidewalks constructed to City standards are required along all frontages of the private roads. The developer shall install privately owned and maintained streetlights at spacing to meet City standards.

Utilities are accessible with adequate capacity to serve the proposed uses. The developer will be responsible for all costs for extending or relocating electric facilities and provide MidAmerican Energy all applicable easements to them at no cost. Black Hills Energy (Aquila) has gas main in both State Orchard and Greenview Roads which can be extended to serve the subdivision.

The water lines will be private with two connections to the 16" main in State Orchard Road. A third tap will extend north through the Tipton Drive right-of-way to connect to existing lines in Briarwood. If the roadways are private, a water main extension agreement is not needed but construction must meet Water Works standards with connection fees required and the lines sized to accommodate the residential and commercial needs. A resilient coated wedge with a swing check valve is need at the 3 system connections. Water service to each building must be metered individually and controlled by an individual shut-off valve accessible to the Water Works. The developer will be charged for connection, tap fees and capital facility charges for all meters and construction water charges. The

private water lines and fire hydrants must be installed consistent with the fire safety and Water Works standards. Water supply for fire protection shall be completed and tested prior to initiating building construction. Fire hydrant spacing shall be no greater than 450' with the distance reduced to 350' for dead end streets, with the maximum distance of not more than 225' (175' on dead-end streets) from any public or private street. All private hydrants must be equipped with lock out caps obtained from the Water Works. The Fire Department requires that the private hydrants be maintained and tested regularly. Results of the annual test must be retained by the owner with a copy sent to the Fire Department.

All lighting shall be directed away from neighboring residential properties and from the vision of motorists and pedestrians as noted in Chapter 15.24 of the Municipal Code.

Planned Residential Development Plan Review – The applicant intends to sell each of the 120 units separately as condominiums/townhouse units. Building codes require additional fire separation between all walls for the units to be sold individually. The residential buildings and the clubhouse will have vinyl siding and asphalt shingle roofs as shown on the attachment.

Parking on Lot 1, as shown is adequate to meet the off-street parking requirements for retail sales. Parking requirements based on a specific use must comply with the requirements in Chapter 15.23 'Off-street Parking, Loading and Unloading'. Two parking spaces are required for each of the 120 townhouse units with additional stalls for the occupancy of the clubhouse. Two hundred and forty-eight residential parking spaces are shown, including the eight garages which are attached to each eight-plex building. The number of spaces for the residential use is adequate.

The site layout shows parking in front of most of the residential buildings. Public Works is concerned about traffic backing out into roadways, which is not allowed to this extent onto public streets. As private streets, parking is permitted. The parking areas in front of buildings 7 and 8 have been removed due to concern for safety when backing into the private street Belmont Drive is the main entrance and the commercial lot will generate more traffic than the rest of the development. Buildings 11 and 12 can be moved farther back from the street to accommodate parking. Additional landscaping should be incorporated as a buffer between those two buildings and Lot 1.

The landscape and signage plans are defined in the recommendation.

Recommendation

The Community Development Department recommends:

1. Approve the preliminary plan for a subdivision to be known as Orchard Village, subject to the following notes and conditions:
 - a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04- Subdivision Ordinance)
 - b. The proposed subdivision is consistent with the purpose and intent of the Subdivision and Zoning Ordinances. All of the proposed lots abut public street right-of-way circulation in the subdivision will be on private streets built to City standards to accommodate the residential parking needs.
 - c. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. These improvements include sanitary and storm sewer connections to the 23.1 acre parcel. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction

shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local state and federal requirements shall be the developer's responsibility.

- d. In addition to the 33' wide street dedication shown along the center line of State Orchard Road, the additional 75' wide area shown as Outlot 'B' shall be dedicated to the City for right-of-way to allow for the future reconstruction of State Orchard Road.
 - e. An erosion and sediment control and grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
 - f. A sanitary trunk sewer line has been constructed in the State Orchard Road right-of-way. A 'tap-on' fee of \$1617.37 per acre is payable when a building permit is requested for any lot within the proposed subdivision. (Ordinance No. 5426, dated 10-26-98) Storm sewer and the water main extension will be part of the road construction project. Utilities can be extended with sufficient capacity to serve the proposed development. The developer bears the costs to extend the services to the subdivision and to each lot.
 - g. The private roadways will be built to City standards. Access to State Orchard Road is limited to the one entrance shown as Belmont Drive on the plat. The overall street layout and both the vertical and horizontal alignments are consistent with Public Works standards.
 - h. Arrangements shall be completed with the Council Bluffs Water Works to extend water lines with adequate capacity for the use to serve each building in each lot, controlled by an individual valve accessible to the Water Works.
 - i. Permanent access easements shall be noted on the final plat and the maintenance agreement for the private drives shall be executed with responsibilities and funding defined and recorded concurrently.
 - j. All utilities shall be installed underground, with costs borne by the developer. The developer shall maintain all clearances from existing electric facilities and pay all costs associated with extending or relocating any facilities. Based upon the route determined by MidAmerican Energy, the developer shall install the conduit system and provide the appropriate easements.
 - k. Fire hydrant spacing shall meet the minimum spacing limitations as required by the Fire Department and the Water Works as noted above.
 - l. Sidewalk shall be built at no expense to the City, along the frontage of each lot abutting the private roadway when the streets are constructed. Sidewalk is not the developer's responsibility along the State Orchard Road right-of-way adjacent to the subdivision, as it will be built as part of the State Orchard Road reconstruction project. Potentially a walking/biking trail will be built along the east side of the street.
2. Approve the Planned Residential Development Plan for Orchard Village Subdivision, as presented, subject to the following conditions:
- a. In order for these units to be sold individually, each 'townhouse' unit shall be built to comply with the 'dwelling unit separation' requirements as defined in the 2003 International Residential Code. A townhouse is a single family dwelling, constructed in a group of attached units with a zero-setback property line and separated by a 1-hour rated assembly.
 - b. Two off-street parking spaces are required for each unit as well as parking to meet the capacity requirements of the clubhouse.
 - c. Private street lighting shall be installed by the developer at spacing to meet City standards.
 - d. The landscape plan for the area is generally acceptable with the following conditions and exceptions:
 - i. Purple Autumn Ash shall be replaced with a tree of comparable size at the locations shown on the landscape plan.
 - ii. A complete listing of the species, size, location and quantities of all plant material along with the planting schedule shall be presented with the first building permit.

- iii. With the final plat approval, the landscape treatment around the detention basin in Outlot A shall be presented for review and approval.
- iv. All landscaped areas shall be included in a site irrigation system presented with the first building permit.
- v. All plant material and the irrigation system consistent with the approved plan shall be in place prior to issuance of the Certificate of Occupancy for the adjacent building.
- e. Signage plan Orchard Village is as follows:
 - i. Detached signage for Lot 1 shall be limited to one monument sign designed to include the center's name with space for tenant identification. Maximum height from existing grade shall be 6' with total sign area not to exceed 120 square feet per face.
 - ii. Attached signage in Lot 1 shall comply with the regulations in the C-2 District.
 - iii. One monument sign, maximum height of 6' from existing grade and maximum sign area of 60 square feet per face located at the entrance along State Orchard Road is permitted to identify the residential development on Lots 2 and 3.
 - iv. Monument sign area is calculated as the total structure.
 - v. Signage shall comply with all applicable city, state and federal regulations. The applicant or an authorized agent shall obtain all necessary sign permits.
- f. Outside storage is not permitted. Trash enclosures shall be fully enclosed and gated. The enclosures shall be the same or complementary to the color of the buildings.

Public Hearing

The following appeared before the Planning Commission in favor of the request:
Karla Lemaster, Dial Land Purchasing LLC, 11506 Nicholas St., Omaha, NE.
Larry McChesney, TSP, 9802 Nicholas St., Omaha, NE

The following appeared in opposition:
Tyler O'Brien, 729 Redwood, Council Bluffs, IA
Marie Larchick, 125 Glen Oaks Dr., Council Bluffs, IA

Planning Commission to City Council

The Planning Commission recommends:

- 1.) Approval of the Preliminary Plan for a subdivision to be known as Orchard Village, subject to the notes and conditions listed in the staff report.
- 2.) Adoption of the Planned Residential Development Plan, subject to the conditions listed in the staff report.

VOTE: Aye 7 Nay 3 Abstain 1 Absent 0 Motion Carried

Attachments: Zoning Map and Attachment 'A'

Applicant: Dial Land Purchasing LLC, - K. Lemaster, 11506 Nicholas St., #200, Omaha, NE 68154

Owner: George T. Jacobs, 404 Fawn Park Circle, Council Bluffs, IA 51503

Owner's Representative: Deborah Petersen, 215 So Main, Council Bluffs, IA 51503

Engineer: Design Engineering and Assoc., Larry Hagwood, 9749 So 175th Circle, Omaha, NE 68136

Architect: TSP, Larry McChesney, AIA, 9802 Nicholas St., Suite 205, Omaha, NE 68114-2167

Prepared by: Gayle M. Malmquist, Development Services Coordinator



RESOLUTION NO. 08-327

A RESOLUTION to approve a Planned Residential Development Plan for Orchard Village Subdivision.

WHEREAS, Dial Land Purchasing LLC has an option to purchase approximately 23 acres along the west side of State Orchard Road, north of Greenview Road; and

WHEREAS, they are requesting preliminary plan approval for a three-lot subdivision to be known as Orchard Village; and

WHEREAS, the appropriate city departments and utilities have reviewed the Planned Residential Development Plan; and

WHEREAS, the Community Development Department recommends approval of the Planned Residential Development Plan for Orchard Village Subdivision; and

WHEREAS, the Planning Commission concurs with the Community Development Department recommendation, subject to the following conditions:

1. In order for these units to be sold individually, each “townhouse” unit shall be built to comply with the “dwelling unit separation” requirements as defined in the 2003 International Residential Code. A townhouse is a single family dwelling, constructed in a group of attached units with a zero-setback property line and separated by a 1-hour rated assembly.
2. Two off-street parking spaces are required for each unit as well as parking to meet the capacity requirements of the clubhouse.
3. Private street lighting shall be installed by the developer at spacing to meet City standards.
4. The landscape plan for the area is generally acceptable, with the following conditions and exceptions:
 - a. Purple Autumn Ash shall be replaced with a tree of comparable size at the locations shown on the landscape plan.
 - b. A complete listing of the species, size, location and quantities of all plant material long with the planting schedule shall be presented with the first building permit.
 - c. With the final plat approval, the landscape treatment around the detention basin in Outlot A shall be presented for review and approval.
 - d. All landscaped areas shall be included in a site irrigation system presented with the first building permit.
 - e. All plant material and the irrigation system consistent with the approved plan shall be in place prior to issuance of the Certificate of Occupancy for the adjacent building.

5. Signage plan for Orchard Village is as follows:
- a. Detached signage for Lot 1 shall be limited to one monument sign designed to include the center's name with space for tenant identification. Maximum height from existing grade shall be 6' with total sign area not to exceed 120 square feet per face.
 - b. Attached signage in Lot 1 shall comply with the regulations in the C-2 District.
 - c. One monument sign, maximum height of 6' from existing grade and maximum sign area of 60 square feet per face located at the entrance along State Orchard Road is permitted to identify the residential development on Lots 2 and 3.
 - d. Monument sign area is calculated as the total structure.
 - e. Signage shall comply with all applicable city, state and federal regulations. The applicant or an authorized agent shall obtain all necessary sign permits.
6. Outside storage is not permitted. Trash enclosures shall be fully enclosed and gated. The enclosures shall be the same or complementary to the color of the building.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That the Planned Residential Development Plan for Orchard Village Subdivision is hereby approved as set forth above.

ADOPTED
AND
APPROVED October 27, 2008

THOMAS P. HANAFAN Mayor

Attest: _____
JUDITH RIDGELEY City Clerk

Judith Ridgeley

From: Rita Willmott [rwillmott@cox.net]
Sent: Monday, October 20, 2008 4:02 PM
To: Judith Ridgeley
Subject: Opposed to Concept for Cornfield Behind Briarwood Subdivision

Judith,

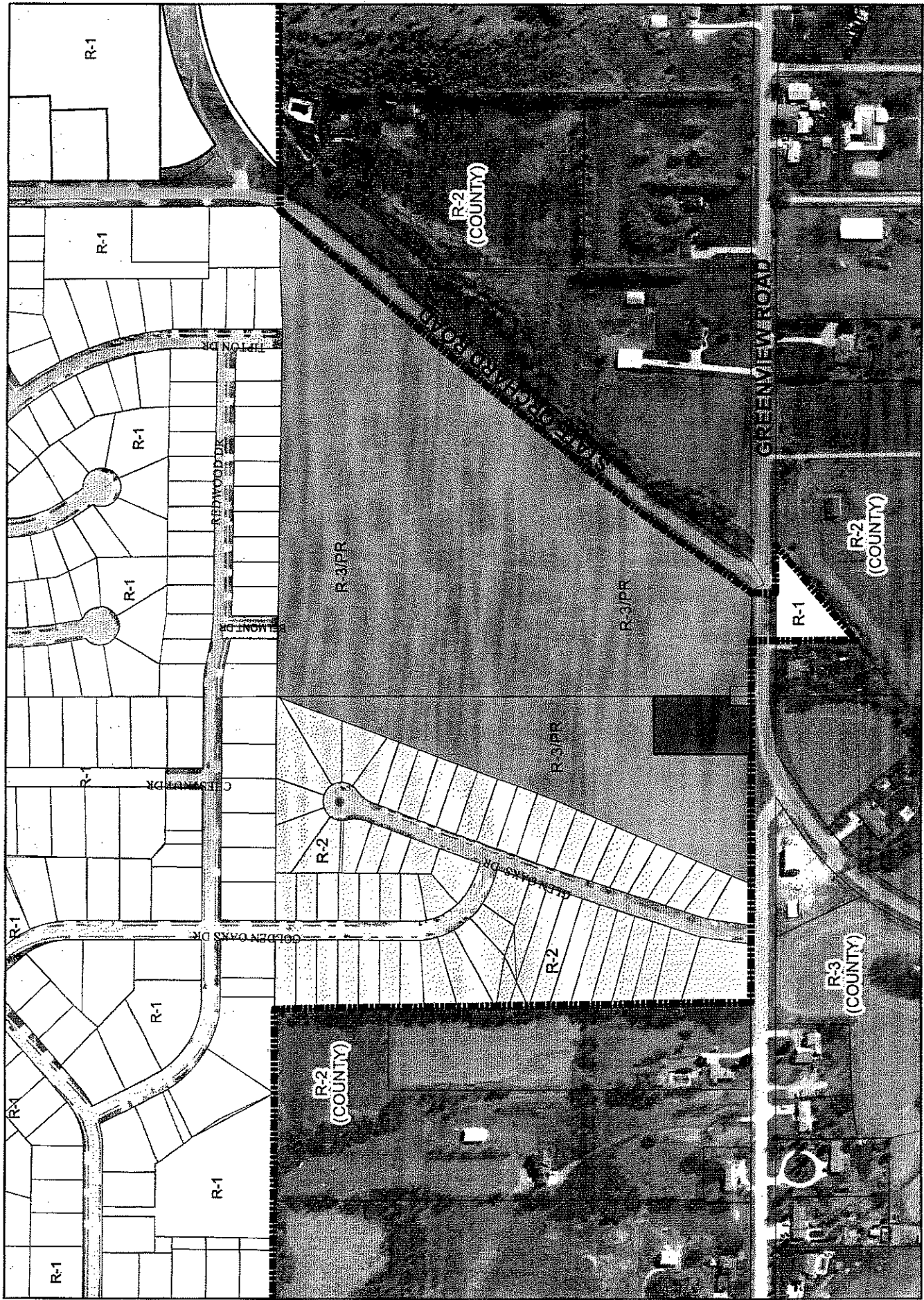
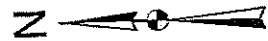
I live at 707 Redwood Drive in the Briarwood Subdivision. I am not opposed to development of the cornfield behind my house. However, I am opposed to removing 40 feet of soil and to something similar to rental property.

Removal of soil will surely cause drainage issues and more importantly, a huge dropoff at the back of my property. There are a lot of children and grandchildren in this neighborhood, and the increased opportunity for danger with a 40-foot cliff is not a good idea.

I moved to this area because of the "rural" feel of the area. That is all changing now and I have to reevaluate whether or not I want to be a taxpayer in Pott County.

Rita Willmott
Council Bluffs, Iowa 51503
mobile 402-669-9130 | rwillmott@cox.net

"I only went out for a walk and finally concluded to stay out till sundown, for going out, I found, was really going in." - John Muir

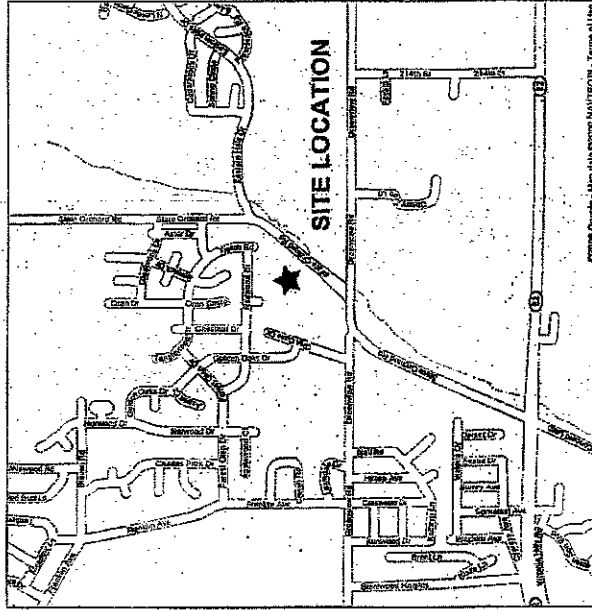


CASE #SUB-08-007
CASE #PR-08-004

COUNCIL BLUFFS, IOWA

CASE #SUB-08-007

CASE #PR-08-004



Residential Eight Plex / Two-Story

No. of Bldg.	15
1	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	1
13	1
14	1
15	1
16	1
17	1
18	1
19	1
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89	1
90	1
91	1
92	1
93	1
94	1
95	1
96	1
97	1
98	1
99	1
100	1

Unit Mix

One Bed. 60

Two Bed. 60

Total Units	120
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120

Phase One 96

98

Parking 244 Cars Tot.

244 Cars Tot.

One-Story (max. ht. 30')

At 11.1	At 11.2	At 11.3	At 11.4	At 11.5	At 11.6	At 11.7	At 11.8	At 11.9	At 12.0	At 12.1	At 12.2	At 12.3	At 12.4	At 12.5	At 12.6	At 12.7	At 12.8	At 12.9	At 13.0	At 13.1	At 13.2	At 13.3	At 13.4	At 13.5	At 13.6	At 13.7	At 13.8	At 13.9	At 14.0	At 14.1	At 14.2	At 14.3	At 14.4	At 14.5	At 14.6	At 14.7	At 14.8	At 14.9	At 15.0	At 15.1	At 15.2	At 15.3	At 15.4	At 15.5	At 15.6	At 15.7	At 15.8	At 15.9	At 16.0	At 16.1	At 16.2	At 16.3	At 16.4	At 16.5	At 16.6	At 16.7	At 16.8	At 16.9	At 17.0	At 17.1	At 17.2	At 17.3	At 17.4	At 17.5	At 17.6	At 17.7	At 17.8	At 17.9	At 18.0	At 18.1	At 18.2	At 18.3	At 18.4	At 18.5	At 18.6	At 18.7	At 18.8	At 18.9	At 19.0	At 19.1	At 19.2	At 19.3	At 19.4	At 19.5	At 19.6	At 19.7	At 19.8	At 19.9	At 20.0	At 20.1	At 20.2	At 20.3	At 20.4	At 20.5	At 20.6	At 20.7	At 20.8	At 20.9	At 21.0	At 21.1	At 21.2	At 21.3	At 21.4	At 21.5	At 21.6	At 21.7	At 21.8	At 21.9	At 22.0	At 22.1	At 22.2	At 22.3	At 22.4	At 22.5	At 22.6	At 22.7	At 22.8	At 22.9	At 23.0	At 23.1	At 23.2	At 23.3	At 23.4	At 23.5	At 23.6	At 23.7	At 23.8	At 23.9	At 24.0	At 24.1	At 24.2	At 24.3	At 24.4	At 24.5	At 24.6	At 24.7	At 24.8	At 24.9	At 25.0	At 25.1	At 25.2	At 25.3	At 25.4	At 25.5	At 25.6	At 25.7	At 25.8	At 25.9	At 26.0	At 26.1	At 26.2	At 26.3	At 26.4	At 26.5	At 26.6	At 26.7	At 26.8	At 26.9	At 27.0	At 27.1	At 27.2	At 27.3	At 27.4	At 27.5	At 27.6	At 27.7	At 27.8	At 27.9	At 28.0	At 28.1	At 28.2	At 28.3	At 28.4	At 28.5	At 28.6	At 28.7	At 28.8	At 28.9	At 29.0	At 29.1	At 29.2	At 29.3	At 29.4	At 29.5	At 29.6	At 29.7	At 29.8	At 29.9	At 30.0	At 30.1	At 30.2	At 30.3	At 30.4	At 30.5	At 30.6	At 30.7	At 30.8	At 30.9	At 31.0	At 31.1	At 31.2	At 31.3	At 31.4	At 31.5	At 31.6	At 31.7	At 31.8	At 31.9	At 32.0	At 32.1	At 32.2	At 32.3	At 32.4	At 32.5	At 32.6	At 32.7	At 32.8	At 32.9	At 33.0	At 33.1	At 33.2	At 33.3	At 33.4	At 33.5	At 33.6	At 33.7	At 33.8	At 33.9	At 34.0	At 34.1	At 34.2	At 34.3	At 34.4	At 34.5	At 34.6	At 34.7	At 34.8	At 34.9	At 35.0	At 35.1	At 35.2	At 35.3	At 35.4	At 35.5	At 35.6	At 35.7	At 35.8	At 35.9	At 36.0	At 36.1	At 36.2	At 36.3	At 36.4	At 36.5	At 36.6	At 36.7	At 36.8	At 36.9	At 37.0	At 37.1	At 37.2	At 37.3	At 37.4	At 37.5	At 37.6	At 37.7	At 37.8	At 37.9	At 38.0	At 38.1	At 38.2	At 38.3	At 38.4	At 38.5	At 38.6	At 38.7	At 38.8	At 38.9	At 39.0	At 39.1	At 39.2	At 39.3	At 39.4	At 39.5	At 39.6	At 39.7	At 39.8	At 39.9	At 40.0	At 40.1	At 40.2	At 40.3	At 40.4	At 40.5	At 40.6	At 40.7	At 40.8	At 40.9	At 41.0	At 41.1	At 41.2	At 41.3	At 41.4	At 41.5	At 41.6	At 41.7	At 41.8	At 41.9	At 42.0	At 42.1	At 42.2	At 42.3	At 42.4	At 42.5	At 42.6	At 42.7	At 42.8	At 42.9	At 43.0	At 43.1	At 43.2	At 43.3	At 43.4	At 43.5	At 43.6	At 43.7	At 43.8	At 43.9	At 44.0	At 44.1	At 44.2	At 44.3	At 44.4	At 44.5	At 44.6	At 44.7	At 44.8	At 44.9	At 45.0	At 45.
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Parking	86
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Ratio 5.21/1,000 S.F.

2.29 Acres

104

lot 2

Lot 3	Lot 2
-------	-------

Outlet "A"

Outlet "A"
Outlet "B"

State Criminal Dept
Criminal Division

State Orchard Rd.

23.1 Acres Tot.

SHEET LEGEND

- | | |
|----|----------------------------|
| L1 | Commercial Landscaping |
| L2 | Residential Landscaping |
| A1 | 8 Plex Plan |
| A2 | 8 Plex Elevation |
| A3 | Clubhouse Plan & Elevation |

Design Engineering and Assoc.

1. Preliminary Plat
2. Preliminary Site Plan
3. Preliminary Grading Plan
4. Preliminary Utility Plan
5. Preliminary Street Profiles

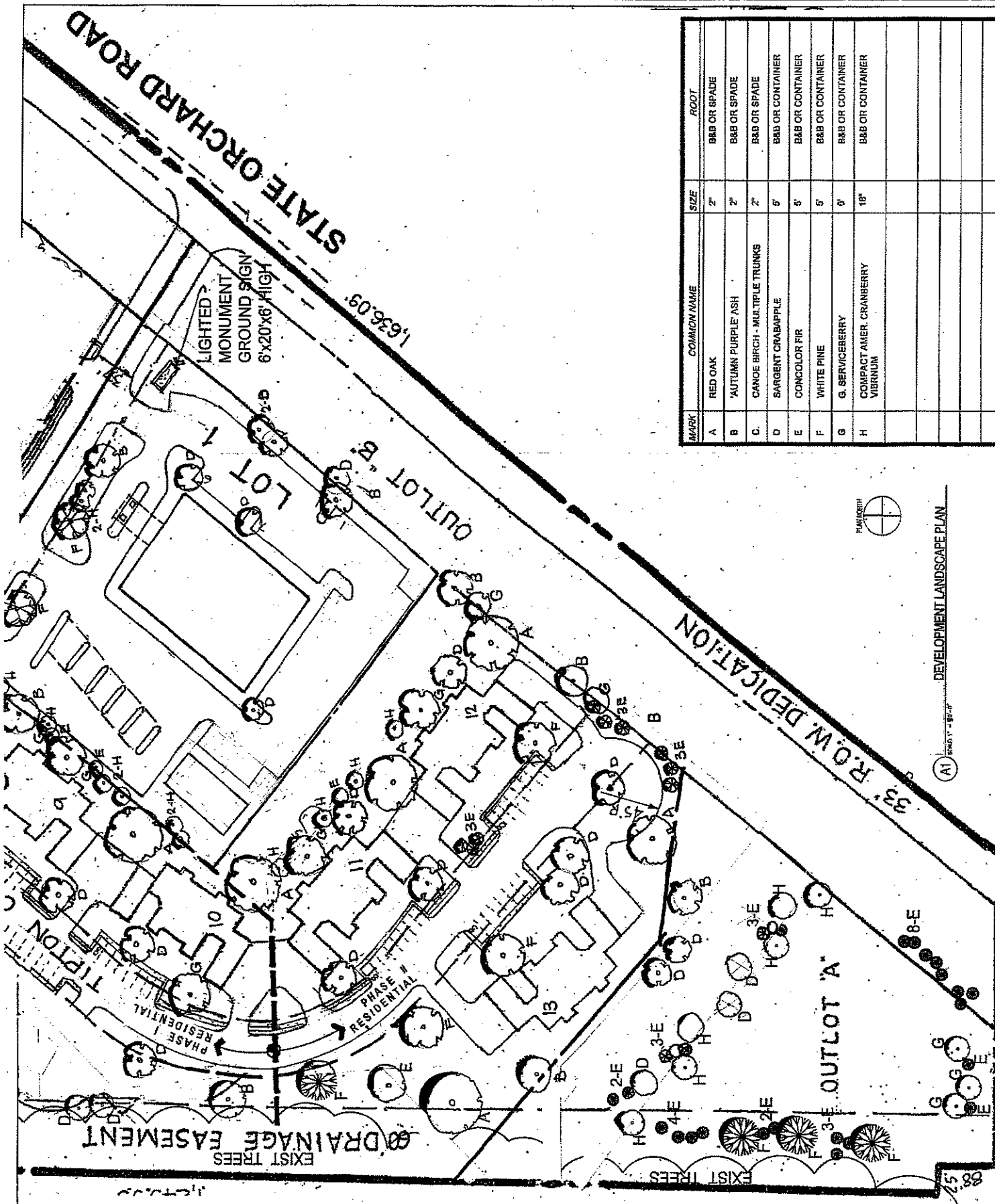
PACKAGES	
DATE	DESCRIPTION
9/23/11	USING 531C

REVISIONS	
DATE	DESCRIPTION
1/11/08	
4/11/08	
9/16/08	
9/25/08	
1/2/09	
1/2/09	REVISED

CONTRACT NUMBER:	P7070178
CONSULTANT #:	
DRAWN BY:	ECW
CHECKED:	ECW
SHEET TITLE:	

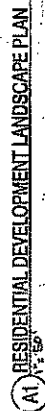
COVER

SHEET NUMBER



MARK	COMMON NAME	SIZE	ROOT
A	RED OAK	2"	B&B OR SPADE
B	'AUTUMN PURPLE' ASH	2"	B&B OR SPADE
C	CANDICE BIRCH - MULTIPLE TRUNKS	2"	B&B OR SPADE
D	SARGENT CRABAPPLE	5'	B&B OR CONTAINER
E	CONCOLOR FIR	5'	B&B OR CONTAINER
F	WHITE PINE	5'	B&B OR CONTAINER
G	G. SERVICEBERRY	5'	B&B OR CONTAINER
H	COMPACT AMER. CRANBERRY VIBURNUM	18"	B&B OR CONTAINER

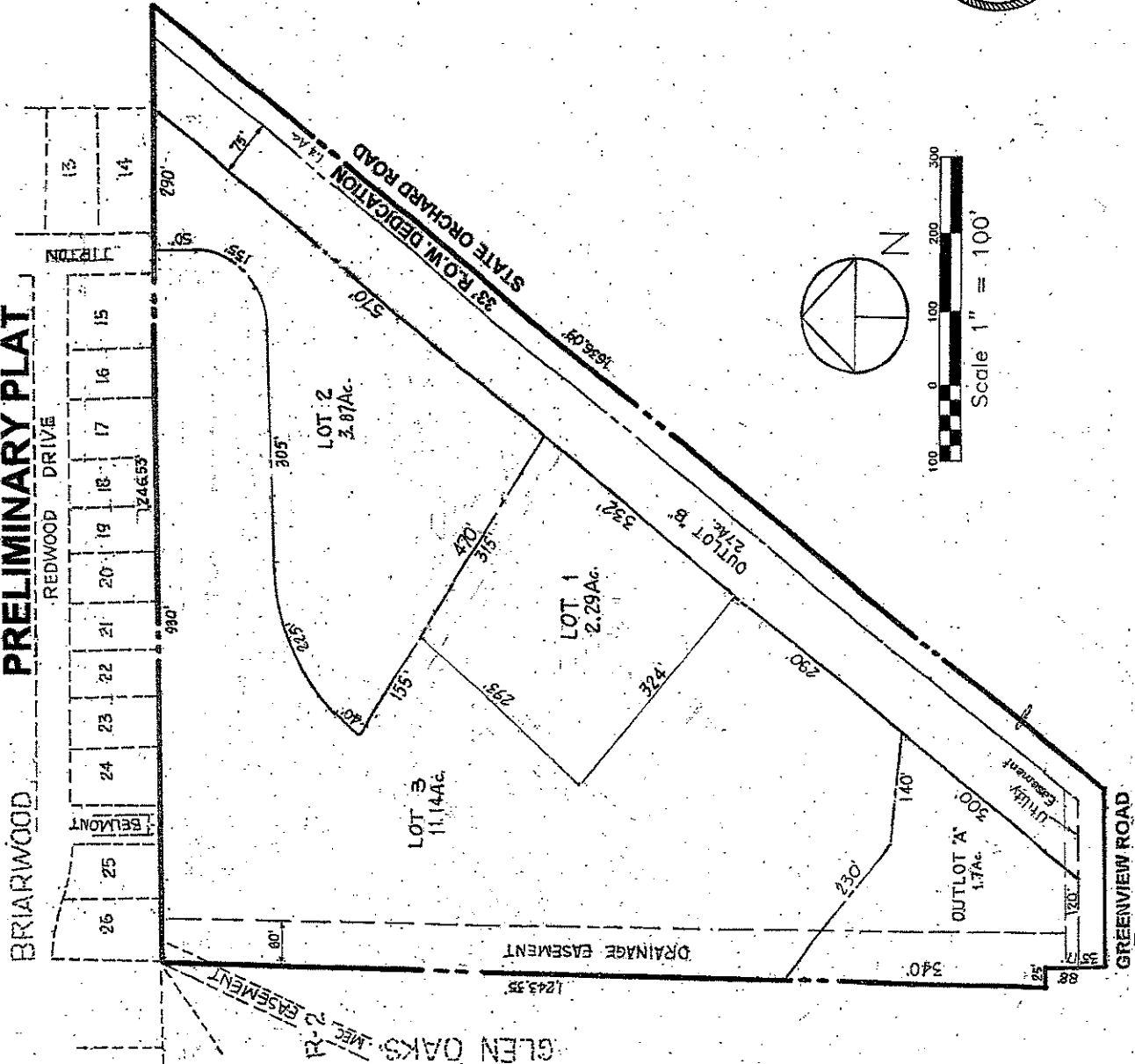
12





ORCHARD VILLAGE

PRELIMINARY PLAT



LEGAL DESCRIPTION

Beginning at the Southeast corner of the Northeast 1/4 of Section 4-74-43, thence N38°51'27"E along the centerline of State Orchard Road a distance of 1,006.38 feet, thence N89°13'21"W a distance of 1,248.53 feet, thence S02°59'17"W a distance of 1,243.35 feet, thence N88°52'38"E a distance of 25 feet, thence S02°59'17"W a distance of 88 feet, thence N88°52'38"E a distance of 262.89 feet to the point of beginning.

OWNER

GEORGE T. JACOBS
404 FAWN PARK CIRCLE
COUNCIL BLUFFS, IOWA, 51503

DEVELOPER

DIAL LAND DEVELOPMENT
11506 NICHOLAS STREET
OMAHA, NE., 68154
402-493-2800

ARCHITECT

TSP
9802 NICHOLAS STREET
OMAHA, NE., 68114-2167
402-493-8997

ENGINEER

DESIGN ENGINEERING AND ASSOC.
9749 SO. 175TH CIRCLE
OMAHA, NE., 68136
402-758-0840

EXISTING ZONING

R-3/PPR

ORCHARD VILLAGE

SCALE: 1"=100'
DATE: 2-11-08
DRAWN BY: [blank]
CHECKED BY: [blank]
REVIEWED: 3/6/08

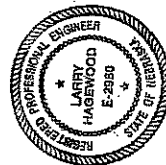
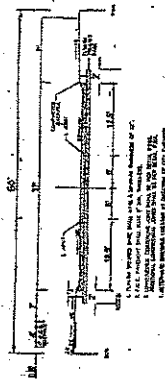
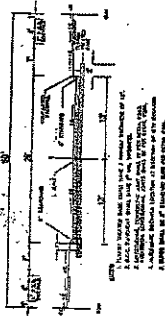
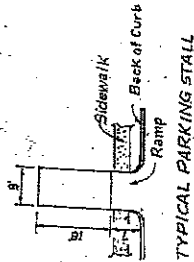
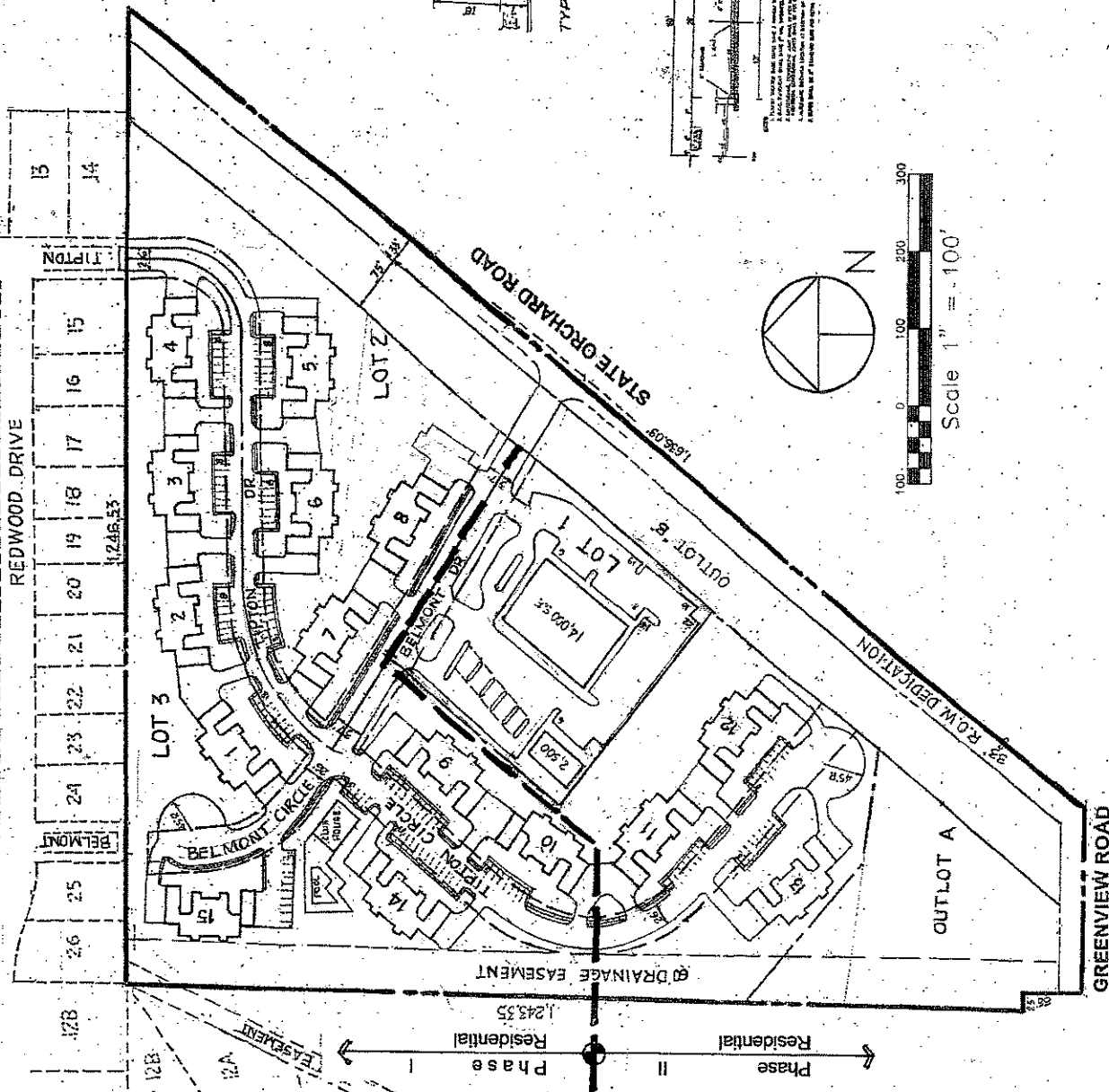
PRELIMINARY PLAT

DESIGN ENGINEERING AND ASSOC.
8748 SOUTH 175TH CIRCLE, OMAHA, NE.
DRAWING NUMBER: [blank]
1 of 5



L. Hagwood
9-16-08

ORCHARD VILLAGE

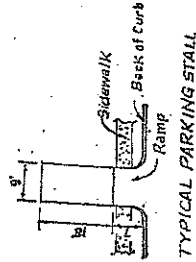
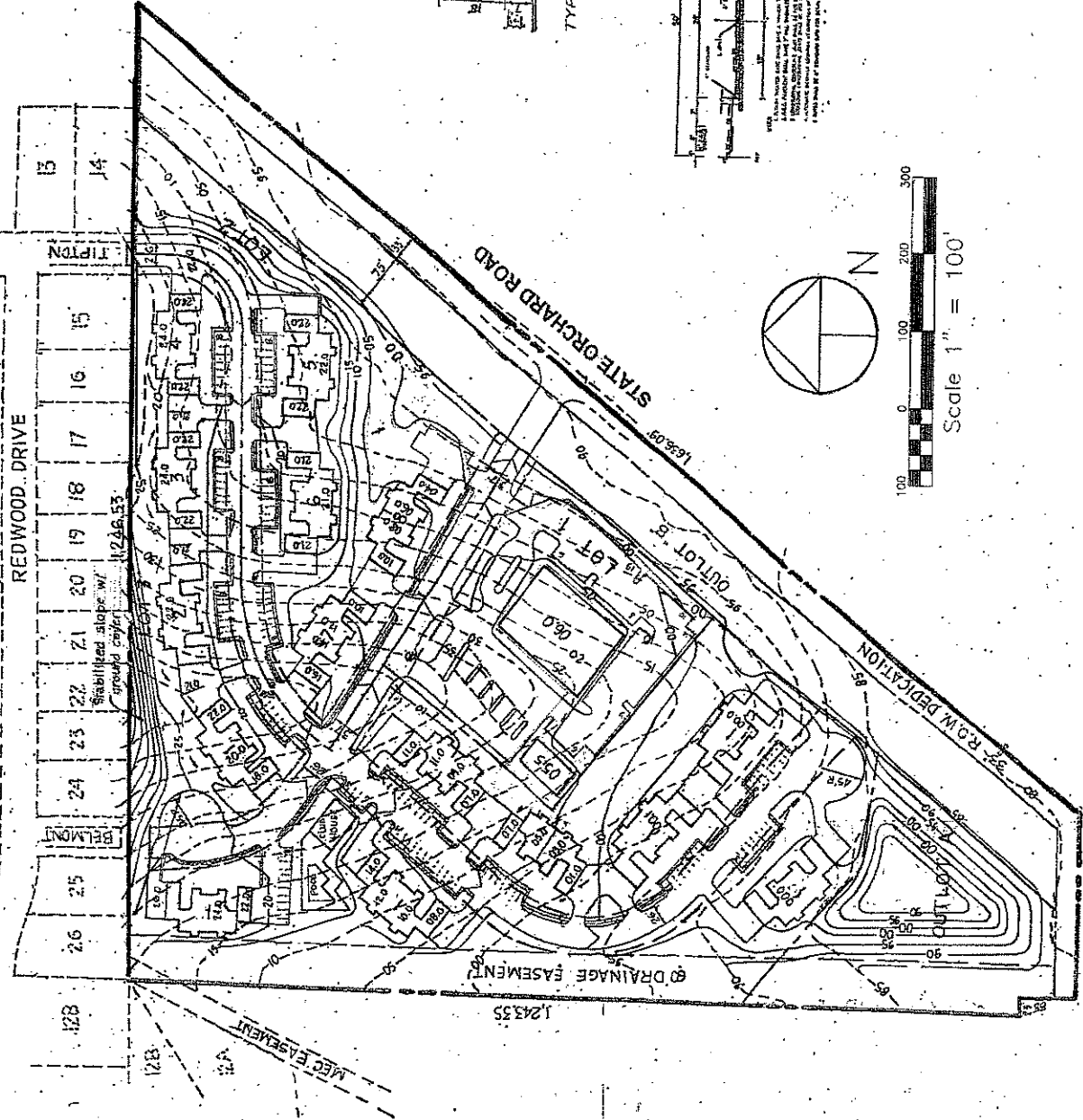


L. Hagwood
9-16-08

ORCHARD VILLAGE	
SCALE: 1"=100'	APPROVED BY:
DATE: 2-25-08	DESIGNED BY:
PRELIMINARY SITE PLAN	
DESIGN ENGINEERING AND ASSOC.	
8749 SOUTH 175 TH CIRCLE, OMAHA, NE	
DRAWING NUMBER:	
2 of 5	

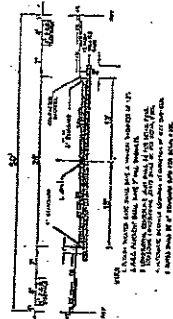
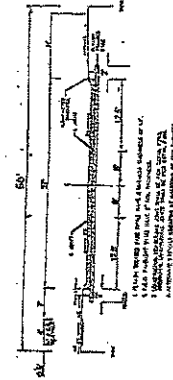
ORCHARD VILLAGE

PRELIMINARY GRADING PLAN



APPROXIMATE QUANTITIES

COMMON EXCAVATION 195,000 C.Y.
EMBANKMENT 140,000 C.Y.
EXCESS 55,000 C.Y.

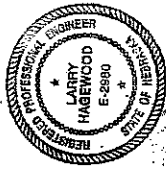
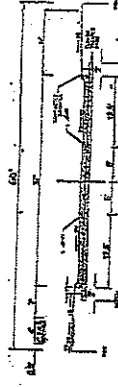
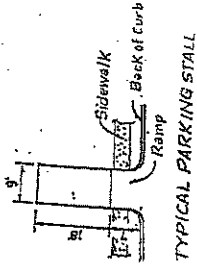
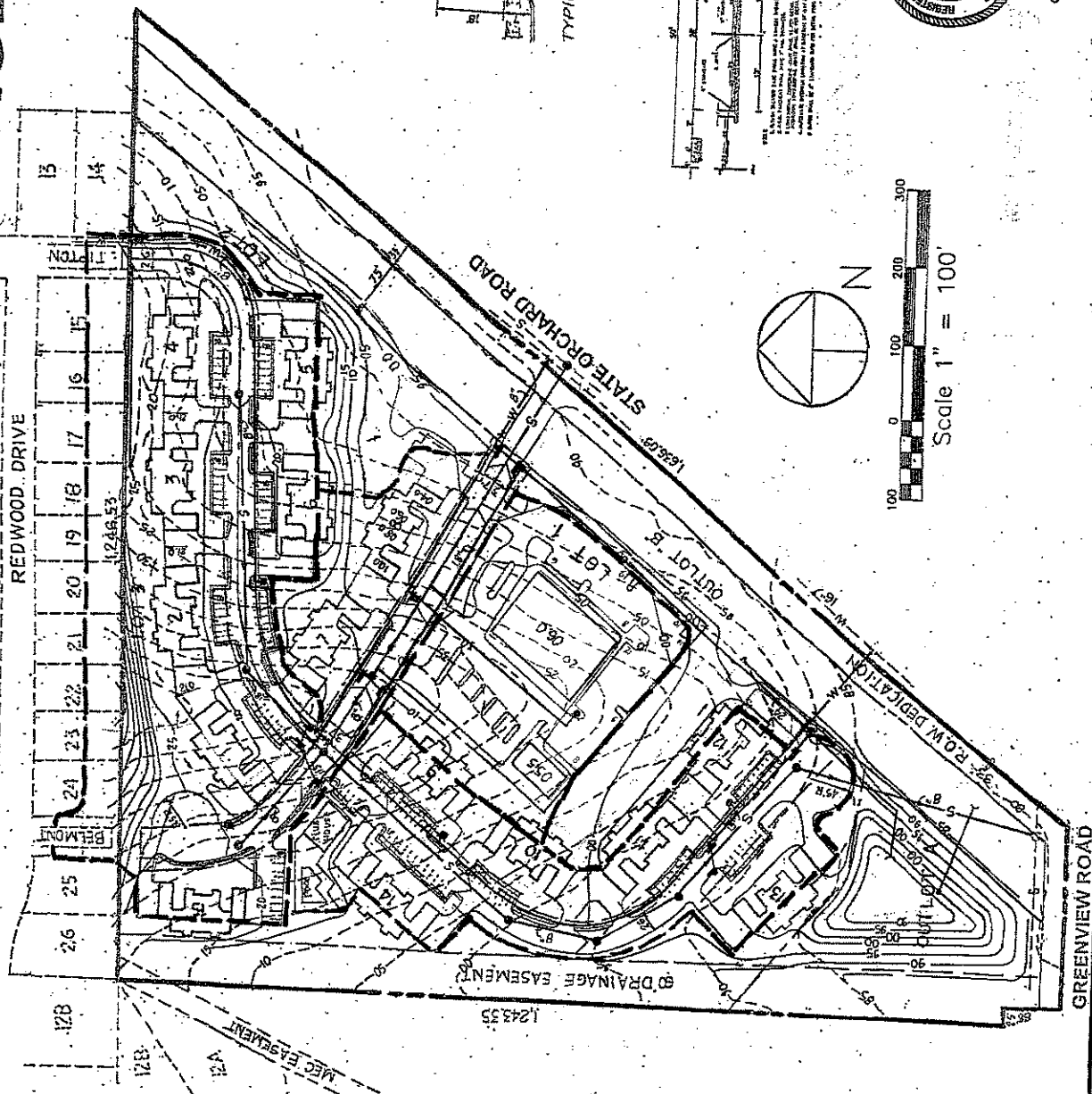


L. Habgood
9-6-08

ORCHARD VILLAGE

SCALE: 1"=100'	DRAWN BY	REVIEWED BY
DATE: 2-08-08		9-16-08
PRELIMINARY GRADING PLAN		
DESIGN ENGINEERING AND ASSOC. 8748 SOUTH 175TH, CIRCLE, OKLAHOMA, NE		
DRAWING NUMBER 3 of 5		

ORCHARD VILLAGE



L. Hageman
9-16-08

ORCHARD VILLAGE

SCALE: 1"=100'

DATE: 2-20-08

DESIGNED BY: [blank]

REVISED: 9-16-08

PRELIMINARY UTILITY PLAN

DESIGN ENGINEERING AND ASSOCIATES
8749 SOUTH 176TH AVENUE, SUITE 100
GREENWICH, CT 06830

DRAWING NUMBER: 4 of 5

